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RHODE ISLAND

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RHODE ISLAND

MAP OF
RHODE ISLAND
1905
Scale of Miles
0 5 10
MASSACHUSETTS
CONNECTICUT
ATLANTIC OCEAN
Woonsocket
CUMBERLAND
NORTH SMITHFIELD
BURRILLVILLE
SMITHFIELD
LINCOLN
GLOCESTER
PAWTUCKET
PROVIDENCE
EAST PROVIDENCE
JOHNSTON
FOSTER
SCITUATE
CRANSTON
COVENTRY
WEST WARWICK
WARWICK
KENT
BARRINGTON
WARREN
BRISTOL
EAST GREENWICH
WEST GREENWICH
NORTH KINGSTOWN
EXETER
NEWPORT
PORTSMOUTH
TIVERTON
LITTLE COMPTON
MIDDLETOWN
NEWPORT
JAMESTOWN
CONANICUT ISLAND
PRUDENCE ISLAND
RICHMOND
HOPKINTON
SOUTH KINGSTOWN
CHARLESTOWN
WESTERLY
NARRAGANSETT BAY
Point Judith
Narragansett Pier
Sachuest Pt.
BLOCK ID.
(To Newport Co.)
NEW SHOREHAM

American Commonwealths

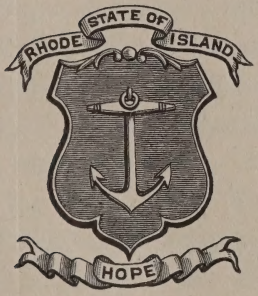
RHODE ISLAND

A STUDY IN SEPARATISM

BY

IRVING BERDINE RICHMAN

AUTHOR OF "RHODE ISLAND: ITS MAKING AND ITS MEANING"



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PREFACE

Upon the formative period of Rhode Island history, the author of the present study has dwelt at length in "Rhode Island: Its Making and its Meaning," published in 1902. The period in question was characterized by a separatism that was intense, but subsequent periods have by no means been wanting in this feature, and it is largely the object of the present book to point out the influence of separatism in determining the course of events in Rhode Island during the eighteenth and nineteenth centuries.

Within the current year there has been published by Dr. Edward Channing, of Harvard, volume one of a history of the United States. This volume, at page 412, contains the statement, that all existing histories of Rhode Island are "full of prejudice against Massachusetts." The statement would seem to commit Dr. Channing to the dictum that no historical writer may speak with severity — discriminating severity even — concern-

ing the general attitude of early Massachusetts toward early Rhode Island, without incurring the charge of prejudice. Outside of the Bay State severity against early Massachusetts intolerance (*vide* Osgood and Andrews) is evidently not considered by American historians an indication, *per se*, of prejudice, nor is it evidently so considered by such European scholars, English, Swiss, and German, as Doyle, Bryce, Borgeaud, and Jellinek. The possibility remains that in his dictum, that all histories of Rhode Island (because of severity toward early Massachusetts) are filled with prejudice, Dr. Channing is right and others, American and European, are wrong; but, as affecting the weight of the dictum, the circumstance can hardly be overlooked that Dr. Channing, by birth, education, and persistent environment, is a Massachusetts man.

Animated with the hope that as one possessed of no relationship, ancestral or contemporary, to New England, his work may be found reasonably impartial, the author desires to make acknowledgment for valuable aid to his friends, Mr. Clarence S. Brigham, librarian of the Rhode Island Historical Society; Mr. George Parker Winship, librarian of the John Carter Brown Library; Mr.

William E. Foster, librarian of the Providence Public Library; Professor William MacDonald, of Brown University; Mr. William P. Sheffield, Jr., of Newport; Dr. Frank G. Bates, of Alfred University, New York; and Mr. Reuben G. Thwaites, of the Historical Society of Wisconsin.

I. B. R.

Muscatine, Iowa, September 23, 1905.

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THE smallest [of the New England colonies], Rhode Island, had features all its own; . . . the rest were substantially one in nature and origin.

FRANCIS PARKMAN, *Montcalm and Wolfe*, vol. i, p. 25.

PART I

AGRICULTURE AND SEPARATISM

1636–1689

RHODE ISLAND

CHAPTER I

NARRAGANSETT BAY

Geography — Discovery — Present-day Environment

BEFORE the age of Roger Williams Rhode Island was separatist. It was so in its geography. It consisted of a strip or section of territory — a continental or mainland section embracing Narragansett Bay — and of a series of formations within the bay constituting a section of islands.

Within present boundaries the greatest length of the Narragansett Bay commonwealth is forty-eight miles, and its greatest width thirty-seven. Its area, including the bay, is nearly thirteen hundred square miles. The bay itself comprises about two hundred square miles, and is broken into lesser bays, and into straits and channels, by its groups of islands. Of these islands Prudence, Conanicut, and the island of Aquidneck, or Rhode Island, are the largest. The entire coast line (bay and sea) extends four hundred miles, and adjacent to it in South Kingstown, Charlestown, and Westerly the lands are low and marshy. To the northward and

westward there is a gradual increase in elevation, the highest point — 805 feet — being attained at Durfee's Hill in Glocester.

Narragansett Bay forms the outlet for three considerable Rhode Island streams, — the Blackstone (Seekonk), the Woonasquatucket, and the Pawtuxet, — and the Atlantic Ocean for a fourth stream, the Pawcatuck. These streams are interrupted by falls and rapids, and in the days of the first settlers were bordered by strips of luxuriant grass land. Aside from the river meadows and coast marshes, the surface of aboriginal Rhode Island was stony or sandy and covered by a thick growth of forest.

Passage from the mainland to the islands, and from the islands to the mainland, was in the early days often difficult and sometimes dangerous, a fact to which official records and private diaries bear concurrent testimony. That Providence and Newport, therefore, should develop on divergent lines is not surprising; although in calm weather the physical bond between them must have been of a closer nature than would have been supplied by as many miles of Indian forest trail.

In a letter to Francis I of France, dated July 8, 1524, Jean Verrazano describes the shores and islands of Narragansett Bay, a spot upon which he had come, in the spring of the year named, in searching for a channel through the American continent to the regions of Cathay.

"Weighing anchor," he says, "we sailed eighty leagues toward the East, as the coast stretched in that direction, and always in sight of it; at length we discovered an island of a triangular form, about ten leagues from the mainland, in size about equal to the island of Rhodes, having many hills covered with trees, and well peopled, judging from the great number of fires which we saw all around its shores; we gave it the name of Your Majesty's illustrious mother [Luisa].

"We did not land there as the weather was unfavorable, but proceeded to another place, fifteen leagues distant from the island, where we found a very excellent harbor. . . .

"This region is situated in the parallel of Rome, being 41 degrees 40 minutes of north latitude, but much colder from accidental circumstances and not by nature, as I shall hereafter explain to Your Majesty, and confine myself at present to the description of its local situation. It looks toward the south, on which side the harbor is half a league broad; afterwards upon entering it, the extent between the coast and north is twelve leagues, and then enlarging itself it becomes a very large bay, twenty leagues in circumference, in which are five small islands, of great fertility and beauty, covered with large and lofty trees. Among these islands any fleet, however large, might ride safely, without fear of tempest or other dangers. Turning towards the south, at the

entrance of the harbor, on both sides, there are very pleasant hills, and many streams of clear water, which flow down to the sea. In the midst of the entrance, there is a rock of free stone [Goat Island], formed by nature, and suitable for the construction of any kind of machine or bulwark for the defense of the harbor."

But Verrazano possibly was not the first European to visit the bay in question. As early as the tenth century, according to Norse tradition, Leif, son of Eric, sailed from Greenland to the west and south and wintered upon the New England coast at a point which he called Vinland, on a bay identified by the Danish scholar Rafn as that of Mount Hope. In the opinion of the enthusiastic Rafn, the Old Stone Mill at Newport, the mill which Governor Benedict Arnold had built about 1675, and of which he makes repeated mention in his last will and testament, was of Norse construction.

After Verrazano, map-makers were wont to designate Narragansett Bay as the Bay of St. Juan Baptist, although Verrazano himself had christened it the Bay of Refuge. It remained the Bay of St. Juan until 1614, when a Dutchman, Adriaen Block, emulating the brave Henry Hudson, who fourteen years before had sailed up the lordly North River, appeared off Point Judith in a little ship of sixteen tons. Block touched at the three-cornered island which Verrazano had named

Luisa, and gave to it his own name, Block — Block Eylandt. He then carefully explored the Bay of St. Juan, calling it Nassau. The west passage he called Sloop Bay, and the east passage Anchor Bay. A small island, believed from his account of its location to have been Hope (it lay to the west of Aquidneck), he described as "een rodtlich Eylandken."

For sketches of the Indians of the Narragansett region we are indebted to both Verrazano and Block. At the time of Block's visit the Wampanoags, or Pokanokets, would seem to have been in occupation of the principal islands of the bay, and the Mohegans and Nyantics of the mainland to the west. Later on the Narragansetts, who abode between the Mohegans and Wampanoags, extended their dominion to the eastward. By 1636, the date of the coming of Roger Williams, the Narragansetts had established a suzerainty over the Wampanoags, but on the west they were held in check by the warlike Mohegans and Pequods, the latter an invading tribe from the north. Of all the tribes of southern New England, the Narragansetts were the most numerous — eight or ten thousand souls; and their chief sachems, the aged Canonicus and youthful Miantonomi, were men of exceptional astuteness. Of unusual qualities also were the chief sachems, respectively, of the Wampanoags, Mohegans, and Pequods, — Massasoit, Uncas, and Sassacus.

Occupation of Rhode Island on the part of the English was first by an agricultural class, and next by a class that was commercial. In recent years it has been by an industrial class. The agriculturalists, who never formed a very numerous group, dispersed themselves over Aquidneck and through the valleys of the Seekonk, the Woonasquatucket, the Pawtuxet, and the Pawcatuck, and became (in the more remote sections) ignorant, superstitious, and prejudiced. With the decline of agriculture, the best representatives of the group entered commerce, or, after the Revolutionary War, migrated northwestward into Vermont and New York; and those left behind — the less energetic — tended yet more to degenerate into a class of poor whites.

Availing themselves (as they freely did) of the fresh water meadows and salt marshes for their cattle and horses, and of the woods and barrens for their swine and sheep, the Rhode Island agriculturists made no great impression on the Narragansett wilderness outside of Aquidneck; and with the development of commerce the impression made was still less, for commerce tended to draw population (the best of it) to the commercial centres — Newport and Providence. With the rise of manufactures the river valleys became scenes of greater activity than ever before; but in the interior, away from the valleys, there reigned a solitude that was profound. Agriculture now became markedly depressed, and the depression has not as yet been

dispelled. Mr. Josiah B. Bowditch, after a review of the census figures for 1900, concludes that the farming population of Rhode Island to-day is no greater than it was in 1790. Some towns, as, for example, West Greenwich, have declined from as early a date as 1748.

To take one's station on a Rhode Island hill and permit one's glance to traverse the Narragansett Bay region, is to behold a commonwealth occupied in its main valleys (those of the Blackstone and Pawtuxet) and along its coast line by an active population of nearly four hundred thousand souls and its back country by an inactive population of not much to exceed thirty thousand souls. This back country, moreover, one would perceive to be a country of hills and forest. "The huge rollers," observes Mr. Clarence Deming, "stretch to the horizon in endless rise and slope . . . and over all is laid the thick mantle of the woods, unbroken save by one or two brown houses on a distant hill, or by a clearing so infrequent and small that it accents the ocean of forest. . . . Swift and clear streams pour through the valleys, fed by springs and sustained in drought by the swamps; the underbrush is dense, and through vast areas all but impenetrable, with such cover for quail, partridge, and woodcock as seems to challenge the most destroying energy of the pot-hunter; the wildest of wild flowers, such as the cypripedium, grow by the very roadside in their season; lakes and ponds, reputed

to have good black bass fishing, show hardly a dwelling on their shores or a boat on their waters. . . . Old taverns, lodging no guest and with no welcoming host, front the highways, the dim ghosts of old revelry seeming to peer through shattered pane and shutter. Half the farmhouses are deserted and in every degree of infirmity. The houses where families yet abide are in the decrepit stage of unpainted clapboard, sagging rafter, and wry fence. . . . But saddest of all are the decaying monuments of what was once a region of lively and expansive industry — a whole mill village deserted. . . . In wildest Rhode Island the abandoned mill jostles closely the abandoned farm, and both have gone down together before the industrial wave which has swept the smaller factories to the railroad and shore and hived the workers in the greater shops under higher productive organization."

Of course amid a scene of desolation such as this there are to be encountered types of character all the quainter from their surroundings. Impressed with the fact, Miss Esther B. Carpenter, in 1887, published a delightful series of character sketches — "South County Neighbors." The men and women she depicts are survivals from the pristine Narragansett stock with its "Old Jobs" and "Young Jobs" and its "Uncle Simons;" its "Alzadys," "Celindys," and "Lovisy Anns;" its "Oseys" [Osiannas], "Pashes" [Patiences], and

"Phylutys." "Now, neighbor," Uncle Simon was wont to remark, "what d' ye think makes Squire Potter and Squire Hazard always talk to me wheresumever they see me?" "Why, I don't know, Uncle Simon." "Well, neighbor, I 'll tell ye. 'T is to draar knalidge — yes, to draar knalidge." It was (we are assured by Miss Carpenter) a favorite hypothesis of Simon's that if he could only have talked with King George the Revolution need never have occurred.

But, to pursue a query propounded by Mr. Deming, "What does the future hold for Rhode Island's west, where nature is so fast overgrowing man, where meadows and sown field year by year shrink, where the woodlands expand, and the farm problem of Yankeeland repeats itself in its superlative degree? Will the rich sporting patroons, who have begun to buy up the forests by the square mile at a dollar or two an acre, realize their hopes of a paradise of rod and gun? Will the strange expanse of the very penumbra of busy cities be given over at last to the well-watched preserves of the sportsmen's clubs and syndicates? Will it in the maturing of the science of forestry, now in bud, become the source of lucrative timber supply? Or as populations outside wax and a refluent stream of wealth pours on the picturesque sites of New England, will remote posterity see the semi-wilderness cut by electric roads, the truck farmer or tenant driving back the forest, the lands grown

fat and costly, and every scenic hilltop crowned by the homes of the rich? To such surmise," says Mr. Deming, "whether of economist, nature lover, or sportsman, the deepening solitudes of wildest Rhode Island give no reply."

Possibly not, but Professor N. S. Shaler of Harvard confidently predicts a time when, by reason of the exhaustion of more available lands, the lands of New England, especially those of a marshy character, will be widely reclaimed. Be that as it may, "Rhode Island's west" — its sparsely peopled, its intensely individualistic and separatist, west — is even now exerting a preponderant influence in Rhode Island affairs. The nature and tendency of that influence are reserved for consideration in our last chapter.

CHAPTER II

THE AGE OF ROGER WILLIAMS

1. *Founding of Providence and Warwick*

THE age of Roger Williams in Rhode Island centres about six historic names and four geographical points. The names are Roger Williams and William Harris; William Coddington and John Clarke; Samuel Gorton and Anne Hutchinson. The points are Providence and Warwick on the Rhode Island mainland, and Newport and Portsmouth on the island of Aquidneck.

Roger Williams was born in London about 1603. His parents were James and Alice (Pemberton) Williams, and the occupation of his father was that of merchant tailor. Of his boyhood years we know nothing. Our first glimpse of him is obtained in 1620, when he was a lad of seventeen. Williams (probably with a view to a livelihood) had learned shorthand, and for the purpose of practicing his art had obtained permission to attend sessions of the Court of Star Chamber. Here, by his alertness of mind and openness of heart, he won the regard of Sir Edward Coke — the grim Sir Edward who, as chief justice of the Court of King's Bench, had in 1616 withstood to his

face on a question of prerogative the pedantic James the First. Of Williams Coke straightway became the patron, and as such he in 1621 secured for him admission to the Charterhouse School, an institution then newly founded and of which the jurist himself was one of the overseers. In 1652 (long after the death of Coke) Roger Williams sought to enter into correspondence with a surviving daughter, Mrs. Anne Sadleir of Standon, Puckridge, but the dame — grim by disposition like her illustrious parent and incensed at Williams for his iconoclastic religious views — bound his letters into a package and indorsed upon it: "This Roger Williams when he was a youth would in a shorthand take sermons and speeches in the Star Chamber and present them to my dear father. . . . Full little did he think that he would have proved such a rebel to God, the King and his country. I leave his letters that, if ever he has the face to return into his native country, Tyburn may give him welcome."

From the Charterhouse Williams went to Pembroke College, Cambridge, where he graduated in 1626. His inclination at first was for the law, but the times were times of theology, and in 1629 he was filling the position of chaplain to Sir William Masham of Otes, in Essex. While thus employed he fell deeply in love with a niece of Lady Barrington, the Lady Barrington being an aunt to Oliver Cromwell. Williams's love affair was not prosperous. He had, it is true, won the heart of

the maiden to whom he aspired; but in the eyes of Lady Barrington he was a match altogether unsuitable for one of her family, and his passion was frowned upon. In complete despair he wrote to the obdurate lady on May 2, 1629: "We [his sweetheart and himself] hope to live together in the heavens though ye Lord have denied that union on earth." But this was not all that he did. Cambridge, where he had attended college, was in Cambridgeshire, one of those eastern counties of England into which there had long been migrating from Holland Anabaptists and Mennonites imbued with the idea of severance of Church from State. With this idea Williams himself had become impressed; so much so, indeed, that he had thought it not unimportant to acquire a knowledge of the Dutch tongue. In his present situation, therefore, — crossed in love and a rebel against episcopacy, — he began to bend his gaze across the sea to a new land: that land whither already had departed the Separatist congregation of Nottinghamshire Pilgrims, and whither the Winthrop company of Puritans from Lincolnshire were soon to set out: a land, moreover, tenanted by a race wild, fantastic, and in need of Christianization — the land of the Massachusetts Bay.

On February 5, 1631, Roger Williams disembarked at Boston from the ship Lyon; and as though to emphasize the entirety of his renunciation of bygone days and dreams, he disembarked

accompanied by a wife, Mary (*née* Barnard), and without having visited Stoke House to say farewell to Sir Edward, his patron, whom indeed at this time it would scarcely have been prudent for him to face. In New England — first at Salem, then at Plymouth, then at Salem again — Williams found himself constantly and from the first in opposition to prevailing ideas. Where he had thought to find, if not his own conceptions, at least room for the assertion of those conceptions, he found a hierarchy of ministers and elders and a stiff ecclesiastical discipline; a hierarchy and discipline to which the distinctively secular agency, government, was in practice subordinated. Yet the conceptions held by Williams were not such — all of them — that any government of the day could wholly have passed them by. They involved opposition to the charter of the colony because it recognized the king rather than the Indians as the source of title to lands; a delicate point at the moment, for the king was then seeking a pretext for recalling the charter. They involved opposition to the autonomy of the colony under the charter, for they were antagonistic to judicial oaths by which that autonomy was sought to be confirmed. Some things, however, they involved that the government (had it been secular) could well have tolerated: for instance, that the civil magistrate ought not to be empowered to punish sins as such, offenses purely against God — the acts forbidden

in the first table of the Decalogue; that, in other words, magisterial power should extend only to the punishment of misdemeanors and crimes, offenses against man — the acts forbidden in the second table of the Decalogue. Upon this principle there was to be founded the commonwealth of Rhode Island.

The final result of the clash between Roger Williams and Massachusetts was that on October 9, 1635, Williams was ordered to depart within six weeks out of the jurisdiction of the Bay, as one having "broached & dyvulged dyvers newe & dangerous opinions, against the aucthoritie of magistrates," and having "writ lres of defamacōn both of the magistrates & churches." Afterwards the sentence of expulsion was so far modified that Williams was permitted to remain in Salem until spring. But inasmuch as by private discourses and exercises he continued "to draw others unto his opinions," it was decided in January, 1636, to send him to England. The plan was revealed to the culprit in season for him to thwart it by evading Captain John Underhill, who had been charged with its execution, and soon, amid cold and deep snow, he, with his servant Thomas Angell, was on his way to the lodge of his friend Massasoit, the sachem of the Wampanoags.

In the spring of 1636 Williams broke ground for a habitation at Seekonk (East Providence), on the east bank of the Seekonk River. Here he was

joined by three companions, among them William Harris. The party would have remained where they were, but were warned away as trespassers by Plymouth, and in the summer removed to Moos-hassuc and began to lay the foundations of Providence.

The arrival at Seekonk of William Harris was an occurrence most significant for the Providence settlement. Williams and Harris had come to Massachusetts in the same ship, but by temperament and training were antipathetic to a degree. Williams was an idealist; Harris was a realist. The former was generous, full of compassion, and not altogether practical. The latter was keen, hard, and regardful of personal advantage. The Providence which together they succeeded in creating partook of the characteristics of both; and throughout the lives of both, lives lasting almost to the end of the seventeenth century, was racked by the dissensions of themselves and of their respective adherents.

Among the motives which had inspired the coming of Roger Williams to America was a desire to convert the Indians, "to do the natives good." At Plymouth the newly arrived clergyman had early made friends with Massasoit; and as a result of excursions into the Narragansett country, during which he had carefully studied the Algonquin tongue, he had entered into relations with Canonicus and Miantonomi. When, therefore, he and his

companions — a party of five — found themselves at Mooshassuc, Williams was master of the situation. The Indians knew him and respected him, and in the fullness of their knowledge and respect executed to him on March 24, 1638, a conveyance of a township of land on the Mooshassuc and Pawtuxet rivers. It was the intention of the grantee to devote the gift to charitable uses. He meant to make of it in part a mission station, and in part a basis for a communal society composed of persons "distressed for conscience." To the latter design he probably was led by the circumstance that persons distressed for conscience — persons harassed at Plymouth or at the Bay — were already congregating about him.

But just here William Harris began to assert himself. He was willing that idealism, in the form of affection, philanthropy, and religion, should win from the Indians a tract of land; but he was not willing that the land so won should remain "a common stock" for the benefit of all "distressed" comers. Individual ownership was what he sought, and by October 8, 1638, he had so far "wearied" Williams by importunities that the latter executed to twelve men — Stukeley Westcott, William Arnold, Thomas James, Robert Cole, John Greene, John Throckmorton, William Harris, William Carpenter, Thomas Olney, Francis Weston, Richard Waterman, and Ezekiel Holliman — a deed constituting the twelve (along with the grantor) a

"fellowship" in the Indian grant. The deed did not create a partnership; it created a corporation. But to convert the corporate holding largely into holdings in severalty was the work of but a little time. In fact, during the same autumn so much of the Indian grant as lay upon the Pawtuxet River (a portion called the "Pawtuxet Purchase") was, by agreement between the proprietaries, partitioned into several tracts.

The government which under Williams was first instituted at Providence was by "masters of families." The masters met once a fortnight and dispatched business "by mutual consent." By August or September, 1636, there had been admitted into the community a body of "young men, single persons." The government now was rendered more definite by a stipulation, concluded between the early comers and "young men," that the latter were to be subject "in active and passive obedience" to the orders of the major part of the "present inhabitants, masters of families, incorporated into a town, and such others as they should admit, only in civil things." In 1640 a board of five disposers, or selectmen, was established, to "be betrusted" with general matters, and a system of arbitration was set up. In the above mentioned cautious and tentative contrivances the individualism implied in the doctrine of Soul Liberty or Freedom of Conscience was sought as fully as possible to be carried into the domain of politics.

There were no magistrates; there was no constable. As Williams had written to Governor John Winthrop of Massachusetts in 1636, "the face of magistracy did not suit with [the] condition [of the settlement]."

In March or April, 1641, Samuel Gorton appeared in Providence. He was a man of some pretensions to family, and, like the father of Roger Williams, a London clothier. He also was a theologian — one of those extreme products of the Reformation in whom the age abounded; men and women actuated toward the large mysteries of life, redemption, and immortality by a spirit of daring challenge, and just enough schooled to obscure their lucubrations by garbing them in Hebrew imagery. As an extremist, Gorton believed in Freedom of Conscience. Hence in politics he was an individualist; but to his political individualism there was imparted stability by the circumstance that he was a profound admirer of the English common law. Wherever that law was enthroned and observed, there for him was civil liberty; and wherever it was not enthroned, or was not observed, there for him was civil tyranny.

Up to the time of his advent upon the Mooshassuc, the life of Gorton in New England had been a succession of small tempests. At Plymouth, where, in 1637, he had removed from rigid Boston, he had had an altercation with the magistrates over their treatment of his serving maid for "smiling

in church;" with the issue that in December, 1638, he had been banished for "contempt." From Plymouth he (Roger Williams like) had made his way, through "snow to the knee," to Portsmouth, on the island of Aquidneck. Here, within a brief time, he had become involved in behalf of another serving maid — one charged with assault — and in due course (for his own defiance of authority) had been banished to the mainland. But Gorton's career, though thus a series of contentions, was not altogether a madness. At Plymouth the proceedings in restraint of the levity of his servant were to him ecclesiastically tyrannous as against conscience, and civilly tyrannous in that (as conducted) prosecutor and judge, contrary to English law, were one. At Portsmouth none of the proceedings were to him justifiable, because on Aquidneck the government was neither of royal nor popular origin, but "set up of itself."

The reception accorded to Gorton by Roger Williams was far from cordial. He demanded that the fugitive, as a condition precedent to admission to the town fellowship, exculpate himself from the charges brought against him at Portsmouth; and in this demand he was sustained vigorously by William Arnold. Gorton, on his part, found the situation at Providence no more worthy of respect than on the island. A few men, without authority from the king of England, or from any source other than themselves, were (with their fam-

ilies) occupying houses distributed along a narrow highway skirting the Mooshassuc and called "the towne street." Besides a house-lot, these men owned each a six-acre pasture or arable field; and as a body (as a fellowship or corporation) they owned all the rest of Providence. And not only so, but thirteen of them were owners, each, of a great estate on the Pawtuxet. Surely this was all wrong, all an illegal monopoly, and should be overthrown.

Gorton had been accompanied from Portsmouth by various disciples, and he made further converts at Providence. In his train now were Randall Holden and John Greene; and the entire party — after bringing the settlement so near to revolution that Roger Williams, who at first "in Christ's name had withstood [the intruder]," at length gave up the contest and seriously bethought himself of flight to the island of Patience — settled down at Pawtuxet. At Pawtuxet, however, there were the Arnolds — William and his son Benedict; and the Arnolds were of no mean order of ability. Their best energies were at once directed to the task of ridding the region of the burden of Gorton.

Already in 1641 Massachusetts had let fall the pregnant hint that it might operate for quiet and good order on the Mooshassuc and Pawtuxet if the more substantial inhabitants were to subject themselves to the jurisdiction of the Bay. So in the autumn of 1642, the Arnolds and their family

connections made subjection in the name of Pawtuxet, and notice of the fact was promptly conveyed to Gorton by Governor Winthrop. The Gortonists had been neatly circumvented, and in January, 1643, they, after dispatching to Boston a letter stigmatizing the Puritans as a merciless Jewish brotherhood, removed to Shawomet. Shawomet was a district embracing what to-day are the towns of Warwick and Coventry. It was obtained by the Gortonists from Miantonomi and two local sachems, Pumham and Sacononoco. Gorton possessed something of Williams's faculty for ingratiating himself with the Indians, and his purchase of Shawomet marked the beginning of a friendship between himself and Miantonomi that was to be provocative of much.

Having forced Gorton from Pawtuxet, the Arnolds next resolved to force him from Shawomet. Massachusetts had served their purpose once, it should be baited to do so again. In May, 1643, Pumham and Sacononoco were taken by Benedict Arnold to Boston, and, offering to submit themselves and Shawomet to the jurisdiction of the Bay, were graciously received. Pumham acknowledged that he had signed a deed for Shawomet to the Gortonists, but professed to have been driven to the act through the sinister influence of Samuel Gorton over Miantonomi, his overlord. Accordingly both Gorton and Miantonomi were summoned to appear and show cause why the Gor-

tonists should not be evicted from their holdings as trespassers. Furthermore, commissioners were sent to Shawomet and Pawtuxet to inquire into conditions on the spot, and to take in writing the answers of the local sachems to a series of interrogatories on the ten commandments. If Massachusetts became sponsor for Pumham and Saconoonoco, it must be on a satisfactory profession of their faith. The profession proved to be satisfactory, and on June 22 a formal deed of submission from the Indians was accepted.

Miantonomi obeyed the summons to Boston, but Samuel Gorton did not. The latter in September (pursuing a favorite method) reduced his views to writing. These views were that the head of the State in Massachusetts was an "Idol General — a Satan transforming himself into an angel of light;" and that his subjects "lived by blood" through persecutions. "If," continued the epistle, "your sword be drawn, ours is girt upon our thigh."

In this plain challenge to arms, Gorton perhaps was indiscreet. At all events Massachusetts, the next month, put in the field a company of soldiers and advanced on Shawomet. The Gortonists took refuge in a log house where they fortified themselves, and to the fortress the invaders laid siege. A lively fire was directed upon the structure without harm to the inmates, but, after a few days, the latter — upon (as they always insisted) a promise of "safe conduct" — consented to accompany the

besiegers to Boston; in a word, capitulated. At Boston the Gortonists were put on trial, not as would be supposed for trespass, or for anything connected with title to the Shawomet lands, but for heresy. If they could be convicted of that, all else would naturally follow. They were convicted, and death well-nigh became their portion. In lieu of death they were thrust in chains and set at hard labor. At length, in the spring of 1644, their presence becoming an embarrassment, they were liberated; but with the understanding that they were to betake themselves forever from the soil of Massachusetts, Providence, and Shawomet.

When, in January, 1643, Miantonomi affixed his hand to the deed of Shawomet to Gorton, he little foresaw that virtually he was affixing his hand to a warrant for his own undoing; but so it proved. On May 19, 1643, the New England Confederation was formed. It embraced Massachusetts, Plymouth, Connecticut, and New Haven. Of these colonies Connecticut was on the border and had suffered severely from the Indians. It responded in alarm to every rumor of an Indian uprising and kept urging upon Massachusetts action concerning the Narragansetts, against whom the jealousy of its own Indian allies — the Mohegans — constantly bred charges of treachery.

Massachusetts, in 1640 and again in 1642, had investigated like charges, and, finding them without foundation, had become convinced of the good-

will of the subjects of Canonicus and Miantonomi; but after the sale of Shawomet to Gorton its attitude changed. The presumption now in the mind of the Bay — now that Miantonomi had cemented a friendship with Gorton, with Gorton the heretic, Gorton "the beast," Gorton "the blasphemer" — was converted from one of innocence to one of guilt. Accordingly, when in July, 1643, Miantonomi, as the result of an attack upon the Mohegans, was made captive by them and held pending a decision as to his fate by the United Colonies, Massachusetts, acting the part of a Pontius Pilate, surrendered the unfortunate sachem — its own oft-tried friend — unto the vengeance of Connecticut and its allies. Miantonomi was condemned to death, and on a day in September, at a spot near the present Connecticut town of Norwich, was slain by Uncas the Mohegan, with a war-hatchet.

2. *The Pequod War; Portsmouth and Newport.*

On the part of the Pequods — the most warlike of the New England Indian tribes — a hostile attitude toward the English had early begun to be manifested. By the summer of 1636 this attitude had become so marked that Massachusetts, fearing the consequences, set to work to secure the friendship of the Narragansetts. With the latter (through the earnest and hazardous labors of Roger Williams) an alliance was formed. The Pequods thus placed in isolation were, on the morning of May 26,

1637, surprised in their stronghold on the Mystic River by the combined forces of Massachusetts and Connecticut, and almost to a man delivered to the sword.

The destruction of the Pequods removed from the Narragansett region all immediate peril from the Indians; and winning in the aspect of its woods and waters as by nature the region was, it held forth in its unsettled parts a seductive and insistent invitation to the pioneer. Those to accept the invitation were a band of refugees from Boston — the Antinomians. Not long after the banishment of Williams there had arisen at Boston a spirit of strong reaction against the formalism, the rigid ecclesiasticism, of Massachusetts. Here and there protests began to be heard regarding the Puritan doctrine of salvation by works as inculcated on Sabbaths and Lecture Days by the pastor of the Boston Church, the Rev. John Wilson. Anne Hutchinson and her brother-in-law, John Wheelwright (both from near Boston in Lincolnshire) were the most pronounced of the innovators; but John Cotton, the associate of Wilson, was himself an innovator; and even Sir Henry Vane, who in 1636 had been chosen governor, was an anti-legalist.

With a view to settling doctrine and restoring discipline, there was held at Cambridge in September, 1637, a synod of the Massachusetts churches. The movement was so far effective that it bridled Cotton; but neither Mistress Hutchinson nor John

Wheelwright was cowed by it, and in November both were brought to trial as fomenters of sedition — disturbers of the civil peace. Wheelwright was found guilty and at once banished. Mistress Hutchinson, too, was found guilty, but banishment was deferred until she should have been tried by the Boston Church for heresy.

As a result of the proceedings above described, and of an order by the Massachusetts government for disarming such persons as sympathized with the victims, a considerable party of Boston people, headed by William Coddington and John Clarke, set forth in March, 1638, to seek to the southward a more congenial place of abiding. The party had Delaware in view, but owing to detention at Cape Cod were enabled to hold (through their leaders) a conference with Roger Williams at Providence. At Williams's suggestion, and by his aid, there was obtained on March 24 a deed from Canonicus and Miantonomi "to William Coddington and his friends united under him" for Aquidneck (the island of Rhode Island) in Narragansett Bay; and hither the Antinomian company straightway repaired to lay the foundations of Portsmouth.

William Coddington was born in Boston, England, in 1601, and in his native town was a man of substance and position. When the corporation of Massachusetts Bay was formed, he was made one of the assistants or council, and later became treasurer. On the trial of Anne Hutchinson for sedi-

tion, he boldly withstood Winthrop, John Endicott, and the clergy. John Clarke was born on October 8, 1609, in Bedfordshire. He was by calling a physician, and his general education was unusual for the time. On arriving at Boston in 1637, he, like Williams before him, was astounded at the bigotry which he found enthroned, and immediately began casting about him for a more liberal retreat. Now that a retreat had been found, the next step was to erect a government; and it seems to have been a step somewhat summarily taken. Indeed, at first, the Antinomians did little else than re-erect the Jewish system whence they so lately had fled. Already at Providence they had chosen Coddington chief magistrate under the title of Judge, and upon their occupation of the island no change was made until January, 1639, when three elders (John Coggeshall, Nicholas Easton, and William Brenton) were chosen "to assist in the execution of justice and judgment."

In the nature of things a theocracy on the island of Aquidneck could not long endure. Antinomianism in the very term implied oppugnancy to forms. It was of the spirit, and the spirit must be free. Then, too, on Aquidneck, Antinomianism was succored by the influence of two extraordinary personalities — Anne Hutchinson and Samuel Gorton. The former had come to Portsmouth (where her husband William Hutchinson had preceded her) at the conclusion of her trial for heresy, — a trial

in the issue of which she had been pronounced excommunicate and delivered up to Satan, — and Gorton had come fresh from his legal tussle with the magistrates of Plymouth. So pronounced now was the latitudinarian tendency that it alarmed both Coddington and Clarke. On April 29, 1639, they, together with their more immediate friends, — William Dyer, Thomas Hazard, and Henry Bull, — abandoned Portsmouth, and, proceeding to the southerly end of the island, established a new settlement — Newport.

At Newport the system of government by judge and elders was reinaugurated, and to the judge there was accorded "a double voice." At Portsmouth, meanwhile, ideas essentially Antinomian were given scope. The community made formal acknowledgment of King Charles I and (perhaps as a concession to Gorton) adopted the common law. They elected, for one year, a chief magistrate (William Hutchinson) and eight assistants or councilmen, and established quarterly courts and trial by jury. The separation of the two island towns lasted until March 12, 1640, when, discovering that separated they were weak, they resumed the original union. Separation, however, had taught to each a lesson — the lesson taught of old by Menænius Agrippa. At Portsmouth it had taught that radicalism may be too radical and end in anarchy. At Newport it had taught that conservatism may be too conservative and end

in tyranny. The government which the reunion brought into effect was characterized by wise features of both radicalism and conservatism. There were to be a governor and deputy-governor and four assistants — all annually chosen. The governor and two of the assistants were always to be chosen by one of the towns, and the deputy-governor and two of the assistants were always to be chosen by the other of the towns. There also were to be chosen, annually, two treasurers, a secretary, two constables, and a general sergeant. Nor did the work of statesmanship stop here. In 1641 the State was formally declared a democracy under the control of the "Body of Freemen orderly assembled, or the major part of them," and no one was to be "accounted a delinquent for Doctrine" who kept the civil peace. Already there had been adopted the common law with its scheme of magisterial courts, courts of quarter sessions, and jury of the vicinage.

Now that the island of Aquidneck had become a political entity, the contrast between it and the entity (or *non*-entity) Providence was marked in the extreme. By Providence there was symbolized individualism both religious and political — a force centrifugal, disjunctive, and even disruptive. By Aquidneck (and especially by the Newport part of it) there was symbolized collectivism — a collectivism thoroughly individualized as to religion, but in politics conjunctive and centripetal. On Aquid-

neck, as at Providence, the employment of the people was agriculture — swine and sheep breeding, the breeding of horses, and dairy farming. Agriculture everywhere tends to separatism; and in early Rhode Island it emphasized the individualistic bent imparted by the idea of Freedom of Conscience. During the age of Roger Williams that which we are bidden to contemplate on the shores of Narragansett Bay is a struggle for supremacy between separatism and collectivism.

3. *Providence Plantations — the Patent of 1644.*

When pondering the question of reunion with Portsmouth, the Newport government had instructed Mr. John Clarke and Elder Nicholas Easton "to inform Mr. Vane by writing of the state of things here, and desire him to treate about the obtaining a Patent of the Island from his Majesty." Nothing had resulted, and in 1642 it was decided to send to England a representative — Roger Williams.

Williams, because of the decree forbidding his presence in Massachusetts, set sail in 1643 from New York in a Dutch ship, and late in the summer or early in the autumn reached London. Here he met Sir Henry Vane, — the young Sir Henry whom he had known in Boston in 1635, now prominent in the councils of the Long Parliament, — and through Vane he came to know Oliver Cromwell. The affairs of the colonies were in charge of a Parliamentary board at the head of which was Robert,

Earl of Warwick. To this board application was made by Williams for a patent of incorporation for the Narragansett settlements — Providence, Portsmouth, and Newport; and on March 14, 1644, there was issued a patent under the appropriate seals. The instrument empowered the inhabitants of the settlements in question to "govern and rule themselves by such a form of civil government as by voluntary consent of all, or the greater part of them, they should find most serviceable; . . . the laws . . . of the said plantation to be conformable to the laws of England, so far as the nature and constitution of the place would admit."

Seemingly all was well. But since 1641 there had been sojourning in London two ardent representatives of Massachusetts — the Rev. Thomas Welde and the Rev. Hugh Peters. Hearing of the mission of Williams in quest of a patent, they early had taken measures to thwart it. By dint of contriving, they, on December 10, 1643, had obtained (under the signatures of nine members of the colonial board — one member less than a majority) a patent whereby there was added to the bounds and limits of Massachusetts the "tract of land . . . called the Narragansett Bay in America." The Narragansett Patent, as it was designated, was sent to Boston in 1645, and there made the basis of a claim to the whole of the unoccupied part of the Narragansett region; but the insufficiency of the instrument was too obvious to admit of much parleying,

and the claim under it was unsuccessful. One fact it made manifest; namely, that Roger Williams had come to England none too soon.

With his own patent in possession, Williams returned to Providence in September, 1644, and his coming was made the occasion of a demonstration at Seekonk. He was met by a small flotilla of canoes, and triumphantly escorted home. But those who escorted him were all from Providence. None from the island participated in the act of welcome. Williams had been sent abroad to procure a patent for Aquidneck. It is not recorded that the people of Providence had even expressed a wish for a patent. When, therefore, the agent for the island returned bearing a patent which not only coupled Aquidneck with Providence, but bestowed upon the infelicitous combination the name "Providence Plantations," Coddington and his friends were little pleased. They exhibited their chagrin by postponing to the latest practicable moment recognition of validity in the instrument which had been secured. So far did they carry resentment that upon learning, just before Williams's arrival, of the step which he had taken, they hastened to apply to the New England Confederation to be received into alliance. "I desire," wrote Coddington to Winthrop on August 5, 1644, "to have either such alliance with yourselves or Plymouth, one or both as might be safe for us all." To this intimation the confederation replied declining an alliance, but

counseling subjection; and here for a season the matter dropped.

Although Coddington and his friends were loath to accept the Roger Williams patent, there were others upon the island who deemed acceptance the wiser course, and on May 19, 1647, a general convention was held at Portsmouth to organize for Providence Plantations a government. In this convention Providence was represented by ten delegates, but in the main the convention was probably a Landsgemeinde or popular gathering of freeholders. A year later the freeholders met again, this time at Providence; and in 1649 and 1650 further meetings were held. In October, 1650, the Landsgemeinde was superseded by a court of representatives.

The work of the several conventions consisted in creating a government, legislative, executive, and judicial, and in adopting a code of laws. Legislative power was vested in the freeholders through a committee of six from each town, called the General Court. A measure might originate with a single town or with the General Court, but was only to become a law upon adoption by "the Major parte of the Colonie." In 1650 this device was so far modified that the General Court was given "the full power of the General Assemblie" or freemen, but must submit its acts to the freemen for possible rejection. In its modified form the device was that of the Swiss Referendum. Executive

functions were made to devolve chiefly on the presiding officer of the General Court, called "the President." The president was to be aided by four assistants, one from each town; and besides these officers there were to be a treasurer, a sergeant, a general recorder, an attorney-general, and a solicitor-general. A "Generall Courte of Tryalls," composed of the president and assistants, was instituted. It was to exercise original jurisdiction in graver criminal cases and in cases arising between town and town, between residents of different towns, or between a town and a resident of a neighboring colony. Likewise there was instituted trial by jury. The code of laws which was adopted (the Code of 1647) is noteworthy in a high degree. By it the death penalty was limited to a few heinous offenses; banishment and imprisonment for debt were repudiated; divorce might be granted only for adultery; and the maritime code, "the Lawes of Oleron," was declared in force.

The Code of 1647 was the work of the people of Aquidneck. It embodied their organizing and systematizing spirit and thus wrought for collectivism. But in its framing there were not overlooked the claims of particularism. Providence, in commissioning its ten delegates to the Portsmouth convention, had been at pains to instruct them to make known its wish "to have full power and authoritie to transacte all [its] home affaires," and the wish was both made known and regarded. A

bill of rights, containing the familiar provisions of Magna Charta in defense of personal liberty, was passed. In the sessions of the Court of Trials the magistrates of the town where the court was held were empowered to sit with the general magistrates for "councile and helpe." The court, furthermore, was to sit permanently in no one town, but, as also (after 1652) the General Assembly, was to make the circuit of the towns, beginning with Newport. Warwick, which had not been named in the patent, was accorded the privileges of the other towns; and in order that the one underlying principle in which Providence, Portsmouth, Newport, and Warwick were agreed — the supreme *raison d'être* for their several and collective existence — might be duly emphasized, the Code of 1647 was drawn to a conclusion thus: "Otherwise than what is . . . herein forbidden, all men may walk as their consciences persuade them, everyone in the name of his God."

The first president of Providence Plantations was a Newport man, John Coggeshall; but upon the island William Coddington had been almost continuously chief magistrate, and in May, 1648, he was chosen president. He however did not come forward to accept the office. He was too busily engaged in intriguing for the admission of Aquidneck into the New England Confederation. Indeed, in September, 1648, he and a few others formally petitioned the confederation to be received in "a

firme and perpetuall League of friendship." The petition was rejected, and in October Coddington, accompanied by his daughter, set sail for England to make trial what he himself might be able to do toward obtaining for the island that autonomy which it had failed to receive at the hands of Roger Williams. In London Coddington met Sir Henry Vane and Hugh Peters. The latter had become a preacher to the Council of State, and through his aid, perchance, the Aquidneck magnate gained an introduction to the council itself. At all events, he laid before that body a petition in which he described himself as the "discoverer and owner" of the islands of Aquidneck and Conanicut in Narragansett Bay, and asked to be confirmed in his title to these islands and to be made governor over them. The petition was referred in March, 1651, and, despite protests from Edward Winslow in behalf of Plymouth, was so speedily acted upon that by April 3 Coddington found himself appointed governor of the two islands for life — a veritable king in miniature, with power to select a council of six, to administer law, and to raise forces for defence.

Short lived was his glory. In August, 1651, he reached home. Meetings forthwith were held at Newport, Providence, and Portsmouth. On every hand there was shown a determination to secure a revocation of the new and revolutionary patent. Accordingly, in November, Roger Williams for

the mainland and John Clarke for the island were on their way to the mother country. There they met Vane and Cromwell, and on October 2, 1652, an order was obtained directing that Providence Plantations continue under the government authorized in the Roger Williams patent until further commanded.

Roger Williams returned from England in 1654; but although news of the revocation of the Coddington patent had been received in the Plantations in February, 1653, the mainland and the island were found still to be maintaining a divided existence. Samuel Gorton had filled for one year the office of president of the mainland towns, and in 1652 a law had been enacted by these towns, providing that "whereas there is a common course practiced amongst Englishmen to buy negers that they may have them for service or slaves forever," it be ordered that "no black mankind, or white," may be forced to serve any man or his assigns longer than ten years. On the island Coddington had been met by armed resistance, and, forced to seek safety in flight, had in April, 1652, at Boston, signed a disavowal of exclusive personal proprietorship of the island lands. In 1653, the island, anticipating a future source of wealth and power, had commissioned privateers in the war then in progress between England and Holland.

It remained for Williams, by virtue of a severe arraignment of the colony under the hand of Sir

Henry Vane, and by virtue of an eloquent and moving appeal under his own hand, to effect a reunion of the island with the mainland. Formal articles of agreement were ratified on August 31, 1654, and on September 12 Roger Williams was elected president of the rehabilitated commonwealth. As for William Coddington, his last hope was extinguished when, in March, 1655, Oliver Cromwell, now Lord Protector, wrote that the colony were to proceed in their government "according to ye tenor of their charter formerly granted." A year later the Newport magnate put his hand to the declaration: "I William Coddington, doe freely submit to ye authoritie of his Highness in this Colonie, as it is now united, and that with all my heart."

The struggle against collectivism, by which the first period of Rhode Island history is characterized, was a struggle not confined to bodies politic such as the mainland and island. It extended to religious sects. Providence from the first had been Anabaptist. At Newport the original Antinomianism had gradually been tending to Anabaptism and Quietism. Upon removing to Aquidneck, Anne Hutchinson had become Anabaptist; so much so that, impelled by distrust of the collectivistic spirit of Coddington with its longing after the United Colonies, she, in 1642 or 1643, had removed to East Chester, New York, where she and all her family, save one, had fallen a prey to the Indians.

In Roger Williams Anabaptism had, in 1639 or 1640, become Seekerism, the *ne plus ultra* of religious individualism; and in William Harris secularism (by reason of the poverty of the man — land was an inconvertible asset) had become a kind of anarchism. In 1657, during the presidency of Williams, Harris, because of his advocacy of the doctrine that "he that can say it is his conscience ought not to yield subjection to any human order amongst men," was arrested and tried for high treason. By 1651 Anabaptism on the island was grown distinctively aggressive. In July three Anabaptists — John Clarke, Obadiah Holmes, and John Crandall — boldly ventured into Massachusetts with their practices. They were seized, and one of them (Holmes) was scourged for his temerity with a three-thonged lash.

To Anabaptist aggressiveness there succeeded the more intense aggressiveness of the Quakers. The sect began coming to Boston from England in 1656. Driven from that town by stripes, they were received at Newport. In September, 1657, the New England Confederation upbraided Providence Plantations for its course. At this time Benedict Arnold was president, and his reply was: "We have no law whereby to punish any for only declaring by words their minds and understandings concerning the things and ways of God as to Salvation and an eternal condition." Between 1656 and 1660 many were the Quakers that from the

convenient harborage of Aquidneck essayed the wrath of the Bay and of its high priest of persecution, John Endicott. Among them were Mary Clarke, Christopher Holder, John Copeland, William Brend, William Robinson, and Marmaduke Stevenson; but the most noteworthy of them all was Mary Dyer. She was wife to the secretary of the colony, William Dyer, and though sweet of disposition, had, under Anne Hutchinson, her preceptress, become so infatuated an individualist, so relentless a challenger of theocratic pretensions, that she can hardly be regarded as possessed of perfect mental balance. By reiterated baitings of Endicott she provoked her own death, and on June 1, 1660, was hanged on Boston Common.

Rhode Island and Providence Plantations — The Charter of 1663

On March 13, 1644, the General Court of Aquidneck changed the name of that island to the "Isle of Rhodes or Rhode Island." No little discussion has from time to time been occasioned by surmises as to the origin of the name; but Roger Williams, writing in 1666, remarked that "Rhode Island, like the Isle of Rhodes, in the Greek language is an island of Roses;" and derivation more authoritative we perhaps shall not be able to discover.[1] At all events, in 1663, when

[1] In the *English Historical Review* for October, 1903, Mr. Louis Dyer, of Oxford, England, advances the theory that the name

John Clarke was negotiating with the restored monarch Charles II for a royal charter for the Narragansett Bay colony, he was careful to repay Williams for his assumption (in the Patent of 1644) of the name "Providence Plantations" by placing before the latter, in the new instrument, the name "Rhode Island."

The restoration of Charles, which took place in 1660, was for the Narragansett Bay settlements an event of the first importance. Now that the king was on his throne, the question arose, What validity has the Patent of 1644? It was felt that measures to secure a royal charter should be taken without delay. John Clarke was in England, where he had lingered on private business after the return of Roger Williams in 1654, and to him in 1661 there was sent a commission as agent for the colony in its new undertaking. Clarke set earnestly to work, and on July 8, 1663, the charter was issued. It was conveyed to the Plantations by Captain George Baxter, and on November 24 the freemen assembled at Newport to inspect the instrument and to hear it read. It was taken by Baxter from

"Rhode Island" is merely a translation of the Indian name for the island of Rhode Island — Aquidneck. "Aquidneck," observes Mr. Dyer, "the island in the bay, was englished into Road or Roads Island. The prevalence in the early texts of the spelling *Road* goes to confirm this account of the matter. . . 'Roade Island is' (we read in a document dated in 1661 [Richman's *Rhode Island*, vol. ii, p. 239]) 'a road, refuge, asylum, to evil livers.'" From the above Mr. S. S. Rider strongly dissents in *Book Notes*, vol. xx.

its box, and by him "with much becoming gravity held up on hygh to the perfect view of the people." It then was read aloud and returned for safe keeping to its receptacle. The alterations which it effected in the existing constitution were not fundamental. Boundaries were made more certain; Freedom of Conscience was elaborately confirmed; the president was superseded by a governor and deputy-governor; the assistants were increased from four to ten; the General Assembly was made to consist in the governor (or deputy-governor), the assistants, and a body of deputies to be chosen, six from Newport, four each from Providence, Portsmouth, and Warwick, and two each from all other towns; the courts were left much as before, but the Court of Trials was made a fixture at Newport.

In obtaining for their government and jurisdiction the sanction of a charter from the king, it was hoped by Rhode Islanders to insure for themselves the toleration and, perchance, respect of their neighbors on the east and on the west. But so it did not turn out. By both Massachusetts and Connecticut the charter was deemed a sword rather than an olive branch. Since the acts of subjection on the part of the Arnolds, and of Pumham and Saconoonoco, the Bay and Plymouth (one or both) had asserted a claim to eastern Rhode Island, including the island of Aquidneck. These claims were practically disallowed in 1665, when commissioners of the king fixed the eastern littoral of Nar-

ragansett Bay as the western limit of any possible claim by Plymouth; and the whole question was settled in 1746–47, when, by a final decision of the crown, Massachusetts (the heir in 1691 to Plymouth territory) was obliged under the charter to surrender to Rhode Island the border towns of Cumberland, Warren, Bristol, Tiverton, and Little Compton.

But it was with Connecticut that the principal difficulty was encountered. On the return of the Gortonists from Boston in 1644, they found a temporary asylum at Portsmouth. Thence Samuel Gorton was summoned by Canonicus to an important conference. The Narragansett Indians, observing that the Gortonists had been liberated by the Puritans, came to the conclusion that the former must be identified with the stronger party in England (where war was known to be in progress), and the Puritans with the weaker. They therefore, as against the weak Puritans (by whom Miantonomi had been put to death), decided to espouse the cause of the strong Gortonists, and desired of Gorton that he would make record of a formal act of subjection by them to the English sachem. The record was duly made on April 19, and in December Samuel Gorton, together with Randall Holden, was on his way with the document to the shores of a distracted realm.

During the period of the English Commonwealth the act of subjection by the Narragansetts to the

king was of course entirely void of effect. Oppression on the Indians by the Puritans increased rather than diminished.

The territory chiefly occupied by the Narragansett nation was that part of the present State of Rhode Island south of the south line of Warwick and Coventry. It was a region of stony soil, but its lagoons and streams were well supplied with fish. As early as 1640 or 1641 Richard Smith, a Gloucestershire man, had built a trading house at Cawcamsqussick (Wickford); and in 1645 or 1647 Roger Williams also had come hither to trade. In January, 1657, the easterly part of so much of the present town of South Kingstown as lies west of Boston and Point Judith Necks was purchased from the Indians by a company of Newporters called the Pettiquamscutt Company; and in June, 1660, a further company of Newport men purchased Misquamicutt (Westerly). The purchase by the Pettiquamscutt Company — an association comprising among its members one stanch Bostonian, John Hull[1] — gave Providence Plantations occasion to reflect, and in 1658 there was passed a law forbidding purchases from the Indians without consent of the colony. In 1661 confirmation of the Misquamicutt purchase was secured; but for a purchase made in 1659 by a company of Massachusetts

[1] The other members of the company were Samuel Wilbor, Thomas Mumford, John Porter, and Samuel Wilson. Afterwards Benedict Arnold and William Brenton became members.

men, called the Atherton Company, confirmation was not even asked.

The objects of the Atherton association were twofold: to obtain a vast tract of land, and to place this tract under the jurisdiction of Massachusetts or Connecticut. In the attainment of their first object they secured, in 1659, Indian deeds for Quidnesset (northeasterly North Kingstown) and Namcook (Boston Neck); and in 1660 they secured from Ninigret, the Nyantic, and other sachems, an Indian mortgage upon all the unoccupied lands of Narragansett. The mortgage was given to insure to the association repayment of an indemnity which had been exacted from Ninigret by the United Colonies, but which the association had artfully assumed. Under the mortgage (in 1662) the association undertook to perfect a title by foreclosure. The same year the second object of the Atherton Company was seemingly effected through a charter issued by the crown to Connecticut for territory extending on the eastward to the "Narragansett River."

The agent principally concerned in negotiating the charter for Connecticut was John Winthrop, Jr., son of the early governor of Massachusetts, and Winthrop had been made a member of the Atherton Company. The issuing of the Connecticut charter narrowed controversy, for thereby Massachusetts, which had been claiming a part of Narragansett as land conquered from the Pequods,

was completely ousted. As between Connecticut and Rhode Island, the jurisdiction of the latter over Narragansett was at the last moment sought to be saved by John Clarke by a stipulation, concluded between himself and Winthrop, that wherever in the Connecticut charter the eastern boundary of that colony was described as fixed by the Narragansett River, the words "Narragansett River" should be taken as signifying Pawcatuck River — the western limit of Rhode Island under the Patent of 1644.

Out of the Clarke-Winthrop stipulation there grew a controversy as prolonged as it was bitter. In 1665 Sir Robert Carr, Colonel George Cartwright, and Mr. Samuel Maverick, as commissioners of the king for settling the royal authority in New England, visited Rhode Island, and while there they met in council the sachems of the Narragansetts. They found them enraged at Massachusetts and the United Colonies because of the indemnity mortgage and pretensions of the Atherton Company. They also found them possessed of a lively recollection of the submission which, in 1644, they as a nation had made to King Charles I. Under these conditions, and privately instructed as the commissioners were by Lord Clarendon, they annulled the Atherton mortgage, and placed the Narragansett country (entitled the King's Province) under the administrative authority of Rhode Island. This act, however, by no means put an

end to the claims of Connecticut. These claims were asserted and reasserted. Sustained in 1683 by a royal commission headed by Edward Cranfield, they were rejected in 1687 by Sir Edmund Andros. Sustained again, in 1696, by the attorney-general of King William, they were yielded voluntarily in 1703 (out of policy) by Connecticut itself. Revived in 1723, they were abandoned forever in 1728. Meanwhile, in 1674, Rhode Island had erected the Kings Province into the town of Kingstown, and in 1677 had detached from Kingstown the town of East Greenwich.

The men to whom the preservation of Narragansett to Rhode Island is mainly to be ascribed were Samuel Gorton, Randall Holden, and the John Greenes, father and son. Gorton and Holden, as a result of their journey to England in 1644 with the sachems' deed, obtained an order permitting the reoccupation of Shawomet (Warwick). Afterwards (1660) William Harris, whose appetite for land was insatiable, had, under certain deeds from the Indians (called "confirmation deeds"), obtained color of title to a wide area for the Providence town fellowship and the Pawtuxet proprietors. Some of the Pawtuxet land (under the "confirmation deeds") extended south of the north line of Warwick, and this circumstance led to a union on the part of the Gortonists with Roger Williams to resist Harris.

In 1677 Holden and John Greene, Jr., visited

England, but gained no permanent advantage. In 1679 Harris set forth for the same destination. He did so not merely in his own interest, but as the authorized agent of Connecticut and the Atherton associates to further their pretensions to Narragansett. While on the way (January, 1680) the ship in which he was embarked, the Unity, was captured by Algerians, and he himself was made a slave and held for ransom. Piteous were the letters which Harris sent home to his family and friends. "I pray you therefore," he wrote on April 4, "to stir up both parties to send bills of the said sum 1191 pieces of eight and 5 royals. If the sum fail, or the time, it is most likely to be my death; — for then I fall permanently into the cruel man's hands that hath like to kill me already." The money was secured and sent, and in the winter of 1680–81 Harris was given his freedom, but the boon came too late. On reaching London, the victim of Algerine barbarity died from exhaustion. Had he lived, the cause of Connecticut would have been powerfully advocated. That he did not live, that through the labors and pains exacted of him he perished, is significant of the vigor and pertinacity with which he was withstood.

In the midst of the struggle for Narragansett (indeed, much as though in mockery of it), there broke forth King Philip's War. The conflict was one which long had been impending. Little by

little the Pokanokets — the people of the region once ruled by Massasoit — had been crowded to the westward and had grown sullen and suspicious. Causes, too, in the case of the Narragansetts had been making for alienation. First there was the execution (never to be forgotten) of Miantonomi. Next there was the fruitless and disappointing submission and resubmission of the nation to the Stuart kings. It was the English of the United Colonies that chiefly were responsible for the unhappy situation; but the time had at length come in New England when it was realized by the Indian that he and his white brother were not compatible, could not dwell together, but must contend for supremacy.

The immediate occasion of hostilities was the death of Wamsutta or Alexander, the elder son of Massasoit. In 1662 Alexander had been arrested, by order of the governor of Plymouth, on suspicion of conspiracy, and during his detention had died of a fever. It was thought by the Indians that he had been poisoned. His successor was his brother Meatacom or Philip. It was resolved by Philip to avenge Alexander's death, and in June, 1675, he withdrew into the country of the Nipmucs (central Massachusetts), leaving behind him a trail of fire and blood. At this time the war sachem of the Narragansetts was Canonchet, a son of Miantonomi. The war begun by Philip was regarded by Canonchet as an opportunity to avenge the death

of his parent, and he lent what aid he could against Plymouth and Massachusetts. In December the three colonies — Plymouth, Massachusetts, and Connecticut — invaded the Narragansett country. Assailing the Indians in their stronghold or fortified village, they inflicted upon them a crushing defeat. Early in 1676 the dispersed Narragansetts burned Warwick and a portion of Providence. In their advance on Providence they destroyed "Study Hill" in Cumberland, the abode of William Blackstone, an eccentric recluse of the Church of England and friend of Roger Williams. As for Williams himself, it is the tradition that on the approach of the savages he fearlessly met them, staff in hand, and sought to dissuade them from further acts of devastation, but in vain.

In April Canonchet was captured and put to death. His executioner, strangely enough, was Oneko, son of Uncas, the destroyer of Miantonomi. The final event in King Philip's War was the killing of Philip himself by a force under Captain Benjamin Church of Plymouth. Driven from point to point, Philip, in June, concealed himself in a swamp at the foot of his ancient fastness of Mount Hope. Church was told of his whereabouts, and, secretly investing the spot at night, startled his prey. The entrapped sachem made a bold dash for liberty, but was shot through the heart by one of Church's men, and fell headlong in the mud and water.[1]

[1] King Philip's War left the Narragansett Indians much reduced

Rhode Island as a colony took little part in King Philip's War. The cause was the dominance of the Quakers. Antinomianism on Aquidneck had now been merged in Quakerism. The early families — the Coddingtons, the Eastons, the Clarkes, the Bulls — nearly all had become Quakers. In 1672 George Fox himself had visited Newport, and his presence had been made by Roger Williams (who still was enough of a Puritan to

and dispersed. By 1707 Ninigret (the head of the tributary Nyantics) was the only sachem of Narragansett affiliations with whom the Rhode Island government could treat. With him, accordingly, on March 28, 1709, an agreement was made by which all of the vacant Narragansett territory (the region which had been sought to be appropriated by the Atherton Company) was conveyed to the colony, except a tract eight miles square in Charlestown, which was kept as an Indian reservation. In 1713 an act was passed by the General Assembly inhibiting sales within the reservation save by consent of the colony. In 1759 the inhibition was removed. In 1763 various members of the Narragansett nation made complaint that, through the removal of the inhibition, their sachem (Thomas Ninigret) was rapidly dispossessing the nation of all its lands. The colony therefore interposed, but the alienation of lands (especially upon long leases) was not much checked, and in 1792 a committee was appointed to establish regulations. By 1791 the whole number of Narragansetts in Charlestown had dwindled to two hundred and fifty, and by 1833 to one hundred and ninety-nine, of whom only seven were of the genuine blood. In 1880 the tribal relations of the Narragansett nation were abolished and rights of citizenship were conferred upon the members. — *Opinion of the Justices of the R. I. Supreme Court relative to the Narragansetts*, January, 1898. *A Statement of the Case of the Narragansett Tribe of Indians as shown by the Manuscript Collection of Sir William Johnson*, compiled by James N. Arnold, 1896.

detest the heresy of the "inner light") occasion for a challenge to public debate. Fox had departed before the challenge could be delivered to him, but it had been accepted by his associates, John Burnyeat, John Stubbs, and William Edmundson. On August 9 a tumultuous controversy — one which Williams had come all the way from Providence in an open boat to conduct — had been held in the Newport Quaker meeting-house.

By the Charter of 1663 there was imparted to Rhode Island, despite the machinations of Massachusetts and Connecticut, stability both territorial and administrative. Under the instrument, collectivism gained over separatism. The several towns were reduced in their privileges, and the colony became for the first time an entity. So far did the process of integration extend that Block Island (which down to 1662 had been an appanage of Massachusetts) was in 1664 incorporated with Rhode Island, and in 1672 erected into the political division New Shoreham.

4. *Sir Edmund Andros and the Quo Warranto.*

At the end of the seventeen years during which England had been ruled by Parliament or by Cromwell, the American colonies — particularly Massachusetts — had grown well-nigh independent and had developed a considerable commerce. They had traded without hindrance with the friends and enemies of the mother country; with the Dutch

more especially; and their freedom (in words attributable to Roger Williams) had perhaps been for them "a sweete cup," rendering them "wanton and too active." Now that the monarchy was restored, it became the royal policy — a policy inaugurated by Clarendon — to curb colonial pretensions.

The curbing was to be in two directions: in that of Puritan religious intolerance and in that of disregard of the acts of Revenue and Navigation. So far as Massachusetts was concerned, the king's commissioners had in 1664 endeavored to change the basis of the suffrage from church membership to property, and to secure recognition for the book of common prayer, and of a right in the crown to try revenue cases; but with little result other than to provoke hostile demonstrations. In Rhode Island there of course was no religious intolerance, and the colony possessed little commerce; so the crown was content with the situation. Nor perhaps would a different feeling have arisen had it not been for the renewal of difficulties with the Netherlands. But difficulties were renewed; and when, in 1674, peace at length was declared, the exasperation of the English crown and merchants at the disloyal trading spirit of the colonies, which had dwelt on gain while Monk struggled in the Channel with De Ruyter, was intense.

The revenue acts, breach of which had been complained of by the commissioners, were acts

passed respectively in 1660 and 1663 (12th and 15th of Charles II); and they so far restricted colonial trade as to prohibit, with slight exception, the direct importation of European commodities into the colonies. Such commodities must be carried thither by way of England. The acts in reality imposed no particular hardship on the colonies, for England was for most things the best purchasing market in any event. Indeed, in one important respect the acts were positively beneficial. Under them trade with the colonies might be conducted only in English built or British colonial built ships, and for the building of such ships the colonies themselves (especially in New England) were well adapted. More than aught else, therefore, breach of the acts was an expression of resentment on the part of colonial importers and shippers at being required to abandon the easy, convenient, and long-established practice of employing the ubiquitous Dutch bottoms.

In 1675 and 1676 the English merchants — London silk mercers and others — petitioned the crown for redress against New England as the "mart and staple whereby the navigation of the kingdom is injured;" and the same year Edward Randolph was sent over, as agent for the Lords of Trade and Plantations, to make an investigation. He visited several of the colonies, and in 1678 his position was strengthened by an appointment as collector and surveyor of customs. Thenceforth his every

effort was put forth toward securing what he knew the crown desired, namely, proof of violations of law and privileges on the part of the chartered colonies sufficient to justify an annulment of the charters themselves. As a result of his toils, the charter of Massachusetts was annulled in 1684. In 1685 he was instructed to "prepare papers . . . upon which writs of *quo warranto* might be granted against Connecticut and Rhode Island."

Randolph promptly complied in a document which alleged, in the case of Rhode Island, that the colony disregarded the laws of England and, like Massachusetts, "violated the Acts of Trade." A writ accordingly was issued, and in May, 1686, the collector (who for a season had been in England) reached America with it in his possession. It was served in June, and the General Assembly, loyal to the last, voted "not to stand suit with his Majesty but to proceed by . . . humble address . . . to continue our humble privileges and liberties according to our charter." It had been the plan of the crown to unite Massachusetts, New Hampshire, Maine, Plymouth, and Narragansett into a royal province; but in February, 1685, Charles II had died, and under James II, his successor, there was provisionally adopted a plan whereby Massachusetts, New Hampshire, and Narragansett were placed under the government of a "President and Council." The president was Joseph Dudley of Boston, and for a short

period Narragansett, which had been organized as Kingstown, was fated to bear the name of Rochester.

On June 3, 1686, the whole of New England was created a royal province under Sir Edmund Andros as governor in chief, and the chartered liberties of Connecticut and Rhode Island seemed by the act forever to be forfeited and concluded. Late in the year Andros made official announcement of his authority to receive the surrender of the Rhode Island charter, and in 1687, while on a visit to Newport, he demanded the instrument. It, however, had been put out of the hands of Walter Clarke, the governor, and could not be found. In Rhode Island the rule of Andros was little noteworthy. The General Assembly, taking advantage of the separatist spirit still strong in the commonwealth, had in 1686 sought to devolve political authority on the several towns; had sought, in other words, to meet danger (after the manner of some forms of crustacean life) by resolving the threatened organism into its integral and elemental parts. How far the plan might have succeeded cannot be told, for in April, 1689, on news of the abdication of James II, New England rose against Andros and imprisoned him. In Rhode Island government was reëstablished under the charter in February, 1690, with Henry Bull as governor; and in 1693 (December 7) the attorney-general of the crown rendered a formal opinion that in point of law

nothing stood in the way of a confirmation of the charter by William and Mary.

With the flight of James from Whitehall the age of Roger Williams comes fully and finally to a close. Since 1643, the year of the founding of Warwick, the four geographical points — Providence, Portsmouth, Newport, and Warwick — had grown slowly. At Providence and Warwick the people still pastured their cattle and horses, and turned loose their depredating swine. Rarely did they get news of the outside world, and none of them, save William Harris, achieved anything like the position of a magnate. At Newport sheep and horses were bred, and men such as William Coddington, William Brenton, Nicholas Easton, and Henry Bull, identified themselves with picturesque estates which, in "Coddington Cove," "Brenton's Neck," "Easton's Beach," and "Bull's Point," have perpetuated their names. By 1686 the population of the island was perhaps twenty-five hundred. That of Providence was perhaps six hundred, and that of Portsmouth and Warwick together, perhaps eight or nine hundred.

As contrasted with each other, the island was refined, flourishing, aristocratic, while the mainland was primitive, poor, and plebeian. Yet despite the limitations of an agricultural existence — an existence ameliorated at Newport after 1660 by intimations of commerce — the age of Roger Wil-

liams in Rhode Island was a great age. For the first time in human history State had wholly been dissociated from Church in a commonwealth not utopian but real. For the first time the fundamental idea of modern civilization — that of rights of man as a being responsible primarily to God and not to the community — had been given an impulse powerful and direct.

As for the six historical personalities about whom the age centred, all now were dead. Anne Hutchinson, the vindicator of faith against works, had died in 1643. John Clarke, the procurer of the Charter of 1663, had died in 1676. Samuel Gorton, the founder of Warwick and defender of Narragansett, had died in 1677. William Coddington, the first Newport magnate, had died in 1678. William Harris — more even than Coddington the Mammon of the group — had died in 1681. The last to pass away was Roger Williams himself. He died between January 16 and May 10, 1683, aged about eighty years.

PART II

COMMERCE AND COÖPERATION

1690–1763

CHAPTER III

PAPER MONEY

Canadian Expeditions — The Ten "Banks" — *Trevett vs. Weeden.*

King William, who with Mary his spouse came to the English throne in 1689, was a ruler who knew thoroughly his own mind, and that mind was to diminish in the world the disproportionate power of France under Louis XIV. He purposed to make war upon Louis; and as war would involve a clash between the French and English in America, it became part of his policy to dispose the American colonies into groups, and to place the control of each group (for military ends) in a single hand. Thus Massachusetts, Connecticut, and Rhode Island were constituted a New England group under the military control of Sir William Phips.

Of the policy of King William, however, the part spoken of was conspicuous for ill success. Neither Connecticut nor Rhode Island (because of its charter) would recognize in Phips the least authority. Then there was France. Already Count Frontenac had hurled bands of savages against New York, New Hampshire, and the dwellers on the Penobscot. Schenectady had fallen in massa-

cre, and Boston itself had not been without alarm. In 1692, therefore, the English government gave urgent direction that a conference be held at Albany. Most of the colonies — distant Maryland included — sent delegates, but Rhode Island did not; nor did it respond to a direct appeal for help addressed to it in 1693 by the governor of New York, Benjamin Fletcher.

In fact, throughout the whole of King William's War (1690–1697) the Narragansett Bay colony furnished aid neither to Phips nor Fletcher, and one at least of its pleas in apology must excite a smile. Owing, it said, to the undeterminated state of its eastern boundary, Massachusetts was enabled to "detain from it several of its towns," whereby it was "incapacitated." But another plea Rhode Island offered which was honest and in large measure a justification. "May it please your most excellent Majesty," the General Assembly wrote to the king in 1693, "*this your Collony is a frontier to your collonies in New England, by sea.*" Rhode Island and the Sea is a topic that awaits us with the next chapter, but we may here pause to reflect how truly this early official letter struck the keynote of Rhode Island history in the eighteenth century. Privateering gave rise to hardihood and skill upon the wave; hardihood and skill brought to Narragansett Bay wealth from the West Indies; and by wealth there was built up that Newport which, throughout the three decades just preced-

ing the Revolution, surpassed New York for trade and quite eclipsed Boston for culture.

The death of William in 1702 left Louis XIV to be dealt with by Queen Anne, and the queen (by Marlborough's help) waged war against him from 1702 to 1713. In the earlier stages of the war Rhode Island failed to meet demands for men made by New York and Massachusetts; but in 1707 it changed its attitude, furnishing, at the request of Massachusetts, militia and a ship in the abortive expedition against Port Royal. This action it emphasized in 1709 by cheerfully responding with its quota and with two ships of war for the contemplated Vetch-Nicholson expedition against Canada; and again in 1710 it was at hand with more than its quota and with three warships for the second and, this time (as it proved), successful Port Royal expedition. From 1707 to 1763 — a period marked by the disastrous invasion of Canada in 1711, the disastrous attack upon Cartagena in 1741, the brilliant capture of Louisburg in 1745, and by the whole series of struggles ending with the conquest of Canada in 1763 — Rhode Island was pervaded by a martial spirit, a spirit involving of necessity much also of the spirit of coöperation.

In 1710 (during the governorship of Samuel Cranston) the cloud like a man's hand appeared. In that year the colony, staggered by the cost of its military undertakings, voted an issue of bills of

credit for £5000. These were to mature in five years and were to be redeemed in specie. To insure redemption, an annual tax of £1000 was laid for the period during which the bills were to be outstanding. In making the issue in question, Rhode Island followed the example of Massachusetts, a colony which in 1690 had had recourse to bills to meet the demands of its soldiers disappointed of booty in Canada. Cotton Mather quaintly condones these demands, observing: "*Arma tenenti, omnia dat, qui justa negat;*" and in truth it is difficult to see what course other than to pledge its good faith was open either to Massachusetts or Rhode Island in the circumstances in which both were placed.

Harm for Rhode Island lay not in a small issue of redeemable bills of credit; it lay in the taste of the joys of credit *per se* — unlimited credit — which these bills were the means of affording a hungry demos. In 1710 the colony was not beyond the agricultural stage; it had few merchants; its predominant class were landowners; and what is more these landowners were land poor. Add the fact that in the eighteenth century the nature of money and of the relation of money to credit was in general ill understood, and it is not surprising that in Rhode Island the demos (the landowners), balked of a circulating medium, should at the first opportunity have gone credit mad.

A second issue of colony bills came in the year 1715, and this issue differed from the first. The

bills (£40,000) now no longer were secured by tax levy, but by mortgages upon land. Any person wishing to supply himself with money might mortgage his land to the government and receive bills to the amount of his mortgage. Upon the bills he was to pay five per cent interest, and the principal represented was to be met in ten years. Here evidently was a contrivance that exactly fitted the Rhode Island landowner's case. Such owner had plenty of land; this land he could convert into money by help of the government; and when the day should arrive for converting the money back, he might get an extension of time. What the landowner did not perceive was that the land in which he abounded had, by reason of lack of demand, little immediate or convertible value. When put in pledge to the colony, it was not an available treasury asset. Had it had convertible value, the owner could have sold it, or borrowed upon it upon easy terms in the open market, and the government need not have been involved.

Between 1710 and 1751 there were nine several "banks" (as the loans upon land security were called) floated in Rhode Island; and what these "banks" typified for the colony was distinctly a rake's progress. At first (1715) the "bank," like the bill of credit, was honestly resorted to as a means of meeting the cost incurred in Queen Anne's War. Next (1721, 1728, 1731, 1733, and 1738) it was resorted to as a means of postponing liquidation

and so of keeping the people satisfied; although, to put a better face upon the operation, stress was laid on bounties, on the opportunely ruinous condition of Fort Anne (afterwards Fort George) at the entrance to Newport Harbor, and on the likewise opportunely ruinous condition of the Newport jail.

By 1731, when the total amount of bills outstanding exceeded £120,000, uneasiness began to be shown. Depreciation had set in to such an extent that silver, which had been worth eight shillings an ounce, now rose to twenty. Besides, counterfeiting was becoming a vexatious grievance.[1] But there was another cause for the gathering alarm. Rhode Island was no longer wholly agricultural. At Newport mercantile interests were waxing strong. Accordingly, on the 25th of June, just after the General Assembly had decreed a "bank" of £60,000, Governor Joseph Jenckes, relying upon an order-in-council issued in 1720, requiring the

[1] Under date of February 17, 1729, John Comer makes note in his diary of "a number of persons found in ye act of counterfeiting ye bills of credit of this colony." These persons had, as they expressed it, "unanimously joined in a League and Contract, to use our best endeavors in our respective places to make and put off without discovery a quantity of paper money." The "League" was concluded thus: "God save ye King, prosper our progress herein, and keep us from all traitors. . . . Then each and every one of us taking ye Bible in our hands swore by ye contents thereof, to observe these Articles of Agreement." It further appears from Comer's diary that on April 28, 1729, Nicholas Oatis, one of the "League," "stood in ye pillory and had his ears clipt for making money." — *R. I. Hist. Coll.* vol. viii.

royal assent to acts for the emission of bills of credit, interposed a veto. A storm at once arose, and the governor, backed by such representative Newporters as Abraham Redwood, William Ellery, John Freebody, Nathaniel Kay, Daniel Ayrault, and others, appealed for justification to the king.

The situation was one of interest. Never before had a Rhode Island governor presumed to try to checkmate the General Assembly. So to presume, indeed, was revolutionary of Rhode Island ideas — an attack upon the colony's individualistic democracy. As it proved, the old principles were entirely safe. The king decided, first, that by the Rhode Island charter the governor himself was "a part of the Assembly," hence void of power against it; and, second, that by the charter the crown even had no discretionary power of repealing laws in Rhode Island. All laws enacted there were valid, save such as contravened the laws of England.

The foregoing decision but served of course to encourage the supporters of the credit system, and under the régime of the Wantons and of Governor William Greene the launching of "banks" went merrily on in the years 1740 and 1744. These years were years of war, and as such afforded to the scheme of "banks" a better pretext, for now perhaps Fort George did require repairing, and of a certainty there were required both ships and men. Still depreciation was only accelerated; nor could

it be brought to pause by the device of inscribing upon the bills their declared value in gold and silver. So serious had the depreciation become by 1746 that the Assembly was forced to raise the qualification of voters from two hundred to four hundred pounds, in order to keep the franchise within anything like its original limits.

All this was bad enough, but it was not the worst. In 1747 Parliament appropriated £800,000 to reimburse the colonies for their outlay in the expedition against Louisburg, and Massachusetts with its proportion of the sum proceeded to redeem in part its outstanding paper. It at the same time passed an act prohibiting the circulation of the bills of the other colonies within its borders. Here was a further blow to Rhode Island money, a blow fraught with bankruptcy for not a few.

The strength of the landholding class around Narragansett Bay and the fatuous blindness there of nearly everybody else, excepting a few merchants at Newport, is illustrated by an elaborate defense of paper money addressed by Governor Richard Ward to the Lords of Trade on January 9, 1740. The governor confessed to bills outstanding in the aggregate of £340,000; but calling attention to the trade of the colony, which was represented by one hundred and twenty sail, drew the hardy inference that "if this colony be in any respect happy and flourishing, it is paper money and a right application of it that hath rendered us so."

With 1750 Rhode Island in its financial "progress" came to a turning point. In the month of August a "bank" of £50,000 was ordered by the lower house of the Assembly. Counterfeiting was made punishable with death, and the Assembly adjourned to reconvene in September. On September 4 a petition bearing seventy-two signatures, signatures of substantial, intelligent men — of the Freebodys, the Ayraults, the Harrisons, the Redwoods, the Tillinghasts — was forwarded in desperation to the king.

"The currency or instrument of commerce of a country [declared the petitioners] being the standard and measure by which the worth of all things bought and sold are established and determined, it ought to be fixed invariably, otherwise property can neither be ascertained nor secured by any plan or method whatsoever." Five allegations were then categorically put forth: That the currency of Rhode Island had sunk in value "above one half in seven years;" that the colony had now outstanding in bills £525,335; that these bills "ought to be drawn in by a tax;" that so far from levying such a tax the house of deputies had just passed a vote for £50,000 of further bills; that of the bills outstanding £390,000 had been secured by mortgages upon land, and that a strong reason for the authorization by the deputies of the £50,000 more of similar bills was that, in the general plethora, landowners might be en-

abled to discharge their mortgages for a song. The petitioners humbly prayed that his Majesty would prevent the government of its colony of Rhode Island "from emitting any more bills of credit upon loan" without his Majesty's permission.

The prayer was effective. In 1751 Parliament passed an act forbidding all further "banks," and permitting the issue of bills of credit for but two objects, — current expenses of the colony and expenses arising from the exigencies of war. Bills for the first object might run two years, and for the second, five. Provision for redemption must be made at the time of issue; there was to be no legal tender feature, and the royal approval was to be a *sine qua non*.

By means of bills of the character indicated, Rhode Island was enabled, without serious strain, to meet its proportion of the cost of the expedition projected in 1755 against Crown Point; and when, in 1756, there were received from England six chests of silver and one of gold as a partial reimbursement of outlay, the money was promptly used for redemption purposes. In 1763, at the end of the struggle for Canada, gold and silver coin were made by act of the Assembly the only lawful money in the colony. The recovery by Rhode Island of sanity upon the money question was remarkably swift; as swift almost as had been the recovery by Massachusetts of sanity upon the question of witchcraft. Moreover, throughout

the war of the Revolution Rhode Island maintained its good reputation. In 1776 it with great docility accepted the recommendation of a committee of the New England States to emit no unnecessary bills of credit, but rather to levy taxes or borrow; and, in 1780, acting upon a resolution of the Continental Congress, it passed a measure so equitably adjusting between debtor and creditor the complexities growing out of Continental currency that its course was widely imitated.

For the reformed commonwealth, as for the reformed individual, lo, the pitfalls and temptations! For Rhode Island the temptation now to be recorded was sore indeed.

In launching its first "bank" the colony had been moved by a cry for money, a convenience, rather than by a cry for bread, a necessity. In 1786, when the tenth and last "bank" was launched, bread to an alarming extent was the object sought.

In this situation what the enlightened part of the people desired to do was to grin and bear misfortune; what the unenlightened part desired to do was to secure immediate relief. In 1785 the General Assembly (still in the hands of the commercial class) rejected a petition for an emission of paper. In 1786 the General Assembly, now divided between the commercial class and their

opponents the agriculturalists, gave strong signs of regarding paper as not the worst of evils. Newport and Providence thereupon presented strong protests, and again the movement for paper received a check. But in 1786, at the spring election, the agriculturalists carried all before them, and an Assembly was elected pledged to paper as the only means of relief.

The triumph of the agriculturalists on the money question was in reality the triumph (temporarily) of the old individualism over coöperation. It was a reactionary step, and, like most steps of the kind, culminated in extremes. The new Assembly, on convening, passed an act for the launching of a "bank" — the familiar old bank of the years 1710 to 1750 — for £100,000. But the old bank was made fresh by a clever device. Should any creditor refuse to accept its bills in payment, the debtor might secure a discharge by depositing bills in the amount of his debt with one of the judges of the Superior Court or of the Court of Common Pleas. It nevertheless was part of the device that, upon the completion of the deposit, the judge must cite the creditor personally to appear within ten days to receive his money; and under this provision many and diverting were the incidents. The natural order of things (as in "Alice Through the Looking Glass") was entirely reversed. Instead of debtors seeking to escape their creditors, creditors now were seeking franti-

cally to escape their debtors. Haggard and harassed, the pursued creditor found (we are told) asylum in his attic; or perchance leaped headlong from a convenient window.

But two months were required to demonstrate that existing measures would not prevent a depreciation of the new bills. An act, therefore, was passed imposing a penalty of one hundred pounds upon any one who should refuse to accept them at their face value in exchange for commodities. This act made clear the wisdom of those who had counseled a policy of endurance rather than one of credit. Merchants closed their stores. People left the State. Food became scarcer than ever. Unconvinced still, and wrathful at opposition, the agriculturalists got together in town meetings and farmers' conventions and arranged for a convention which should be representative of farmers throughout the State. By this body, to which sixteen towns sent delegates, it was advised that the paper money laws be "supported." And supported they were to the bitter end.

At a special session of the General Assembly held in August, 1786, at Newport, there was created a court for the trial of complaints against creditors. The court consisted of not less than three judges drawn from the Superior Court or Court of Common Pleas, and was to convene at any time upon three days' summons. There was to be no jury, decision was to be by majority vote, and from such

decision there was to be no appeal. The one-hundred pound penalty for refusing to give commodities for paper was reduced, but the reduction was largely offset by a provision that upon the conviction of a creditor sentence was to be put immediately into execution. Neither delay nor suspension was to be permitted. Against the above described sweeping attack by the legislature upon personal liberty, the commercial element, through the deputies from Newport, Providence, Bristol, Warren, and New Shoreham, made vigorous protest, but absolutely to no effect. It remained for a poor Newport butcher — a man so poor that within a month he had received town aid — to vindicate Magna Charta by precipitating one of the most memorable trials in American history.

The butcher referred to was John Weeden. In September, 1786, he refused a piece of paper currency tendered him by John Trevett in payment for a piece of meat. Trevett at once filed a complaint, and the case was heard before the judges of the Superior Court on September 25. The defendant was charged with a violation of the statute, and this charge he met by a threefold plea: first, that the statute had expired (a technical contention based on the ambiguous wording of the act); second, that the matter complained of had been made triable before a special court uncontrolled by the supreme judiciary; and third, that the statute was unconstitutional and void, because

by it there was denied to the defendant a trial by jury.

Weeden's counsel were James M. Varnum of East Greenwich and Henry Marchant of Newport, men of the highest standing and best talent. Varnum addressed the court first, and in opening said: "Well may a profound silence mark the attention of this numerous and respectable assembly! Well may anxiety be displayed in every countenance! Well may the dignity of the bench condescend to our solicitude for a most candid and serious attention, seeing that from the first settlement of this country until the present moment a question of such magnitude as that upon which the judgment of the court is now prayed hath not been judicially agitated!"

The first two points of the plea for the accused were dwelt upon briefly. The third — that of denial of trial by jury — was elaborated exhaustively and with deep feeling. It was Varnum's contention that trial by one's peers (the mode of trial secured to every Englishman by Magna Charta) had been established in Rhode Island by the charter of the colony, which provided that the inhabitants "should have and enjoy all liberties . . . of free and natural subjects . . . as if they . . . were born within the realm of England." American independence, it was averred, did not affect the matter, for the colony charter had been retained and was in force as the constitution of the State. With this

point settled there remained but one other. Who in a given case was to decide whether an inhabitant — a citizen — had been deprived of a chartered right? "Have the judges a power to repeal, to amend, to alter laws, or to make new laws?" asked the advocate. "God forbid! In that case they would become legislators." "But," he continued, "the judiciary have the sole power of judging of laws . . . and cannot admit any act of the legislature as law which is against the constitution." Here was the whole case for the accused, and it was a strong one.

But strong on the constitutional point as Weeden's case was, the point itself was hardly (as Varnum had claimed in his exordium) one never before "judicially agitated" in America. A single court prior to this time (the Supreme Court of New Jersey in 1779) had weighed the question of the competence of the judiciary to declare an act of the legislature void on constitutional grounds, and had found unanimously in favor of such competence.[1]

[1] The New Jersey case was *Holmes vs. Walton*, 4 Halstead, N. J., 444. (See *Am. Hist. Rev.* vol. iv, p. 469.) *Trevett vs. Weeden*, although not decided upon constitutional grounds, is often quoted as if so decided. (See Cooley, *Constitutional Limitations*, 4th ed. p. 196; Bryce, *The American Commonwealth* (earlier editions), vol. i, p. 244; Arnold, *History of Rhode Island*, vol. ii, p. 525; McMaster, *History of the People of the United States*, vol. i, pp. 337–339 (but see vol. v, p. 398); Fiske, *The Critical Period of American History*, p. 175; Channing, *The United States of America*, p. 119. The true ground of the decision (lack of jurisdiction) was stated in 1883 by Judge Thomas Durfee of Rhode Island in his "Glean-

In *Trevett vs. Weeden* the Rhode Island judiciary waived the constitutional point, and, tacitly indorsing the plea of the accused that the body charged with the trial of the offense was not the Superior Court, but one specially constituted, dismissed the complaint before it for lack of jurisdiction.

ings from the Judicial History of Rhode Island" (Rider's *Hist. Tract No. 18*, p. 52). It was also stated by Mr. S. S. Rider in 1889, in a review of Bryce's *American Commonwealth* (*Book Notes*, vol. vi, p. 41), and in 1902 by Mr. E. C. Stiness in his "Struggle for Judicial Supremacy in Rhode Island," contributed to Edward Field's *Rhode Island at the End of the Century*, vol. iii).

What makes the New Jersey and Rhode Island cases of surpassing interest is a consideration of an historical nature. Until these decisions were made, it was an open question in America whether the courts (state and national) would, in gauging legislative power, follow English Parliamentary precedent, or the *dicta* of certain English judges. According to Parliamentary precedent, the legislature (Parliament) was an omnipotent body bound by no set of fundamental principles. According to the *dicta* of a few English judges, "the Common Law doth control Acts of Parliament." Thus Lord Coke (the patron of Roger Williams) in Bonham's case (8 Rep. 114) and Chief Justice Hobart (Hobart's Reports) held that the common law was supreme over Parliament. In *Trevett vs. Weeden*, Varnum cited both Coke and Hobart, as also Plowden and Bacon's Abridgment (iv, 635), in support of his contention that the legislature was bound to regard constitutional limitations. Presumably similar citations were made in *Holmes vs. Walton*. The American courts, therefore, chose at the very outset (1779 and 1786) to indorse the *dicta* of judges like Coke, Hobart, Plowden, and Bacon, in support of the common law (constitutional law) rather than to follow the strict precedent of English Parliamentary practice. On the whole subject the reader is referred to an admirable paper by Judge Charles B. Elliott of Minneapolis, printed in the *Political Science Quarterly* for June, 1890.

At first the dismissal — construed as it was as a vindication of both Weeden and honest money — promised ill consequences. Rhode Island's individualistic democracy was shocked profoundly; more so than it had been at the attempted exercise by Governor Jenckes of the veto power. Was it then true, it was indignantly asked, that in Rhode Island the ruling element was no longer the people? Were governors and judges to set themselves up against the General Assembly? Not if the General Assembly rightly gauged its power. Paul Mumford, Joseph Hazard, Thomas Tillinghast, Gilbert Devol, and David Howell — the five judges who had heard the now famous case — were summoned promptly to appear before the Assembly and to assign the reasons of their judgment. The court (so the summons recited) had declared an act of the supreme legislature unconstitutional and void, and such adjudication "tended to abolish the legislative authority." Howell, the youngest of the judges, but a Princeton graduate and the only trained lawyer of the court, explained that the act had not been declared unconstitutional. He at the same time proclaimed it the right of the bench to pass upon the constitutionality of any legislative act. At length the Assembly, counseled by the attorney-general (William Channing, father of William Ellery Channing), brought itself to declare: "As the judges are not charged with any criminality in rendering the judgment upon the information

Trevett vs. Weeden, they are discharged from any further attendance upon this Assembly, on that account."

At the spring election of 1788 Hazard, Tillinghast, and Howell all failed of reëlection; but such evidences of spleen proved to be only the dying convulsions of the paper money party. By 1789 (when the legal tender statute of 1786 was repealed) death had quite supervened; not, however, before Rhode Island's reputation had been smirched; nor before a Connecticut poet had sung in jeering distich, —

> "Hail realm of rogues, renowned for fraud and guile,
> All hail ye knaveries of yon little isle.
>
> . . . . . .
>
> The wiser race, the snares of law to shun,
> Like Lot from Sodom, from Rhode Island run."

CHAPTER IV

RHODE ISLAND AND THE SEA

Piracy and Bellomont — The Wantons and Privateering — Colony Sloop Tartar — The Spanish Main.

If, down to 1759, the wars with France and Spain led in Rhode Island to the manifold woes of paper money, these same wars, together with the great French war of 1756, led to other things as well. They led through privateering to the golden age of Newport. They led also, through the same means, to an American navy.

It was in May, 1690, that Rhode Island waged its first fight upon the sea. A French privateering fleet of seven small sail had captured Block Island. For a week the captors had rioted there, plundering and maltreating the inhabitants and threatening a descent upon Newport itself. In the emergency Captain Thomas Paine, a Newport seaman, manned two sloops with ninety men and sought the enemy. He soon fell in with five sail, and, running into shallow water to avoid being surrounded, gave battle against odds. The French captain bore down in melodramatic style, wishing himself "damned if he did not board immediately," but was repulsed and after two hours of

musketry combat withdrew. The day following, when Paine would have renewed the attack, his enemy put hastily to sea, scuttling a prize laden with wines to expedite his progress.

The year 1690 was that of the beginning of King William's War, but it was by no means that of the beginning of Rhode Island's familiarity with privateering. As long ago as 1653 the island of Rhode Island had sent out vessels against the Dutch; and since 1680 captains bearing questionable West India commissions had found the shores of Narragansett Bay not inhospitable. In fact, the redoubtable Paine was of this class, for in 1683, on arriving at Newport in command of a ship commissioned from Jamaica, he had escaped arrest only by the timely interposition of Governor William Coddington.

The report as to Paine which the deputy collector at Boston sent to England may well have elicited the letter which in 1684 was dispatched by the king to Rhode Island, commanding the enactment of a law for the "suppressing of privateers and pirates." At all events such a law was passed. But law or no law, the business of privateering (now piracy) at Rhode Island was not lessened, and by the close of King William's War, in 1697, it was to attain proportions truly formidable.

From 1690 to 1695 John Easton was governor at Newport. From 1696 to 1698 the governor was Walter Clarke. Both Easton and Clarke were

Quakers, and as such purposely inactive with regard to the war then in progress. But during the entire decade, 1690 to 1700, John Greene was deputy-governor. Upon him as emphatically a fighting man there devolved the task of prosecuting the conflict — a task which, as Rhode Island did virtually nothing on land, consisted mainly in commissioning privateers. Greene in some respects was a unique character. He was a strong Gortonist, and in that capacity had rendered important public service by withstanding Harris and the Atherton Company. But his Gortonism was avowedly Antinomian in the extreme. There was involved in it the doctrine that, provided a man were at one with God inwardly, it mattered not what his mere outward conduct might be; "he might [if he chose] do what a beast might do." So, in commissioning privateers, Greene with tranquil "inwardness" took no bonds and kept few troublesome copies of papers. The fact that these privateers in many instances turned out piratical craft is something which may or may not have been anticipated.

Nathaniel Coddington, register of the local Court of Admiralty, charges Deputy-Governor Greene with having commissioned thirty privateers during the year 1694. Among them was a barque commanded by John Bankes and a brigantine commanded by William Mayes. Apropos of Mayes, the Lords of Trade advised the Governor and Company of Rhode Island in 1697 that it was reported that

their colony was "a place where pirates were ordinarily too kindly entertained;" and it is true that in 1699 the return of Mayes from the Red Sea "with vast wealth" was eagerly awaited. But Bankes is of more interest to us than Mayes, for he had as a partner or companion the famous Rhode Islander, Thomas Tew.

The vessels of Bankes and Tew — the latter vessel a large sloop with accommodations for eighty men — lay side by side at Newport, and the strife to fill a berth in either was intense. Says Coddington: "Men come from all the country round; servants left their masters and sons their parents; many hid themselves on board; it may be with a griefe spoken the endeavors some men made to send away the youth of the land." "Of these men," Coddington continues, "our good governor [Easton] laboured to hinder the wicked designs." And again: "All the vessels had great guns mounted; no cost was spared for small arms and powder. . . . The discourse was generally that they were bound to Madagascar, but some [thought] they were to go to the Red Sea[1] where the money was as plenty as

[1] "We [a band of English pirates] came early in 1696 to Liparan Island at the mouth of the Red Sea, where three more sail of English came to us, one commanded by Thomas Wake, another, the Pearl, William Mues [Mayes] commander, fitted out at Rhode Island, the Amity, Thomas Tew commander. . . . They all joined partnership, putting Captain Every [Avery] in command. . . . After five or six days the Moors' ships, twenty-five in number, passed them in the night; but hearing of this from a

stones and sand, saying the people there were infidels, and it was no sin to kill them." Bankes got away in due form by Greene's connivance; but Tew made the mistake of applying for a commission to Easton, and the further mistake of offering the governor a *douceur* of £500. He did not get his commission, so put to sea without a clearance. He joined forces with the noted pirate Mission; established a colony in Madagascar; resisted the Portuguese; amassed an immense fortune; and returning to Newport paid the owners of the vessel in which he had sailed fourteen times the cost of their adventure.

One day a pirate more desperate even than Tew appeared — Joseph Bradish. In 1698 Bradish was boatswain's mate on board the ship Adventure,

captured ketch they resolved to follow them. . . . Steering for Surat we caught up one of the ships which we took after she had fired three shots, she had £50,000 or £60,000 on board in silver and gold. We shortly afterwards spied another ship, mounting forty guns and carrying (as was said) 800 men. She stood a fight of three hours and yielded."

"We kept possession of both ships, and all the crew, except one man, boarded her by turns, taking only provisions, necessaries, and treasure, which was very great, but little in comparison with what was on board; for though they put several to the torture they would not confess where the rest of their treasure lay. They took great quantities of jewels, and a saddle and bridle set with rubies designed as a present for the Great Mogul. Several of the Indian women on board were, by their habits and jewels, of better quality than the rest." [Report by the secretary of the East India Company to the Lords of Trade concerning acts of piracy committed in the Indian seas in the spring of 1696. — *British State Papers — America and West Indies — 1696, 1697.*]

bound from London to Borneo. Winning twenty men to his design, he awaited his chance, seized the vessel, put ashore part of the crew on a desert spot to starve, and made all sail for Block Island — that same Block Island which in 1690 had been so gallantly rescued from piratical hands by Captain Paine. But in the estimation of the Block Islanders there evidently were pirates and pirates. One kind came (as had come the French) to plunder and lay waste; another kind — the Bradish kind — came to find shelter and to divide spoil. The latter were welcome. Capture, however, overtook Bradish, and he was lodged in jail in Boston. He soon contrived to escape, and with fine discrimination as to places fled back to Rhode Island.

Throughout the period covered by King William's War and the deputy-governorship of Greene it was well-nigh impossible in Rhode Island to secure the apprehension, the detention, or the conviction of any person for piracy. Pirates resorted there, spent their money there, even married there. Arrests, it is true, were sometimes made, as in the case of Robert Munday and George Cutler of the Henry Avery crew, who were unable to account for money and East India goods in their possession; but escape by connivance of jailers was more certain than arrest, and when it was sought to indict the jailers grand juries were wont to indorse "ignoramus" upon the bills. Indeed, by 1699 so perfect a haven for freebooters had Narragansett Bay

become that certain of the associates of the never-to-be-forgotten William Kidd were making it their asylum. Among them was the murderous James Gillam. Also among them was our own worthy Captain Thomas Paine, soon to be enrolled a founder of Trinity Church, Newport. To him, in his unobtrusive abode on the island of Conanicut, Kidd from his jail in Boston sent a messenger for gold; and by him the aforesaid messenger was intrusted with "seven bars."

But the day of reckoning was at hand. Seriously aroused by complaints and threats from the Great Mogul of India, the English government had resolved to suppress piracy. In March, 1697, the Earl of Bellomont was appointed governor of New York, Massachusetts, and New Hampshire, with powers of captain-general over Rhode Island and Connecticut. Shortly afterwards Peleg Sanford was appointed judge of admiralty for Rhode Island. In 1653, during the war with Holland, the island of Rhode Island had established an Admiralty Court; and in 1694 the colony, as a convenience for condemning prizes, had (until the king's pleasure should be further known) revived the institution. When Peleg Sanford presented his commission as admiralty judge by royal appointment, judicial offices conflicted. The governor, Walter Clarke, solved the point for the present by taking the Sanford commission and keeping it.

In May, 1698, Clarke was succeeded as governor by his nephew, Samuel Cranston, and soon Edward Randolph, surveyor-general of his Majesty's customs in America, visited Rhode Island. There followed a series of stinging dispatches to Cranston from the Lords of Trade demanding sight of the commissions and bonds (mostly non-existent) under which privateers had been sent out by Deputy-Governor John Greene, and notifying the governor of the deputing of Lord Bellomont as a special agent of the crown to inquire into the local "disorders and irregularities."

Bellomont's inquiry was conducted by himself at Newport in September, 1699, and when concluded an elaborate report of it was sent to the Lords of Trade. The report was scathing. It declared that the colony usurped and exercised admiralty power contrary to the charter; that the prosecuting attorney was "a poor, illiterate mechanic;" that John Greene, the deputy-governor, was "a brutish man of very corrupt or no principles in religion;" that his commissions to privateers were made out "to the captain or his assignees," hence to anybody and everybody; and finally, that "the government was notoriously faulty in countenancing and harboring of pirates who had openly brought in and disposed of their effects, whereby the place had been greatly enriched." Cranston, meanwhile (awakened to the peril in which the colony stood), was eating exceedingly

humble pie before both the Lords of Trade and Bellomont, — "begging a favorable construction in what of weakness may appear in us, we being a plain and mean sort of people;" or, as he further expresses it, "an ignorant and contemptible people."

Before Bellomont's report could be acted upon, its author died at New York and Joseph Dudley was appointed governor of Massachusetts. This appointment was made in 1701. It carried with it, as in the case of Phips and Bellomont, power over the Rhode Island militia, and there was soon annexed a power of vice-admiralty.

Dudley, in 1705, revived against Rhode Island Bellomont's charges. But now, with war begun, the disposition of the home government to be critical of the maritime ethics of its privateering colony was perceptibly lessened. Nor should it be overlooked that at this juncture the London agent of Rhode Island was the accomplished William Penn, nor that Penn's relations with Queen Anne were those of a trusted courtier.

Clear as the culpability of Rhode Island is with respect to piracy, one fact should be emphasized: no governor of the colony was ever actually caught trafficking in official favors. Even Deputy-Governor John Greene — whose explanation to Bellomont of the negotiable and unbonded commissions issued by him to Mayes, Bankes, and the others, was that the recipients were good home folk, hence

presumably *sans reproche* as they certainly were *sans peur* — probably gained little by his malleability. In the early eighteenth century piracy was rife all along the Atlantic coast, and Rhode Island sustained to it relations less odious than did New York or the Carolinas.[1]

[1] Extracts from the official correspondence of Lord Bellomont and of Governor Benjamin Fletcher: —

"I find that those Pyrates that have given the greatest disturbance in the East Indies and Red Sea, have been either fitted from New York or Rhode Island, and mann'd from New York. . . . And Capt[n] Tew that had been before a most notorious Pirate (complained of by the East India Company) on his returne from the Indies with great riches made a visit to New York, where (although a man of most mean and infamous character) he was received and caressed by Coll: Fletcher, and they exchanged presents, as gold watches ettc, with one another," etc. [New York, May 8, 1698, Bellomont to the Lords of Trade. *N. Y. Col. Docs.* vol. iv, p. 306.]

"I am informed by Mr Randolph, Surveyor General of the Customs, that R. I. pretends to a Jurisdiction of a Court of Admiralty, and that they have seized a pirate there with his money and designe to try him and perhaps acquitt him. I know not yet what priviledge they have by their Charter, but I am well informed what constant encouragement they give to Pirates to come in there, and bring in their spoils, and likewise what connivance is made to the breach of all the Acts of Trade, and from thence it may be concluded that there will be but very faint prosecutions in a Court of Admty of their owne enacting," etc. [New York, July 1, 1698, Bellomont to the Lords of Trade. *N. Y. Col. Docs.* vol. iv, p. 334.]

"We are very sensible of what your Lordship writes about the partiality and favour to pirates in R. I." [Oct. 25, 1698, Lords of Trade to Bellomont. *N. Y. Col. Docs.* vol. iv, p. 414.]

"Capt Tew had formaly rec'd a commsn from the Govr of

With the passing of the peril from Bellomont and Dudley, Rhode Island for the most part set-

Bermuda [so] I granted him a third to make warr upon the French," etc.

"This Tew appeared to me not only a man of courage and activity, but of the greatest sence and remembrance of what he had seen, of any seaman I had mett. He was allso what they call a very pleasnt man, so that at some times when the labours of my day were over it was some divertisment as well as information to me, to heare him talke. I wish'd in my mind to make him a sober man, and in particular to reclaime him from a vile habit of swearing. I gave him a booke to that purpose; and to gain the more upon him a gunn of some value. In returne hereof he made me also a present which was a curiosity and in value not much; and this is the sum of all the kindness I am chged with," etc. [Dec. 24, 1698, Col. Benj. Fletcher's answer to charges. *N. Y. Col. Docs.* vol. iv, p. 446.]

"Preparations [have] some while [been] mak'g of sending a squadron of ships of Warr to suppress them [the pirates] there [at Madagascar] and at Sta Maria." [Jan. 5, 1698–99, Lords of Trade to Bellomont. *N. Y. Col. Docs.* vol. iv, p. 454.]

"Jos. Bradish born at Cambridge near Boston. Ran away with ship Adventure an interloper to East Indies. Came to East end of Nassau Isl [Long Island] & sunk the ship between that & Block Isl — a ship of abt 400 tons. B. left money with Lt Col. Peirson £942,19,3 — gave govr of R. I. notice where the money concealed, which I heare he has since secured, Block Isl being in his government. Some of the men who ran away with the ship went out with Tew." [New York, May 3, 1699, Bellomont to Lords of Trade. *N. Y. Col. Docs.* vol. iv, p. 512.]

"I send you the speech of Mr Cranston Gov of R. I. to the Assembly there about a fortnight since, wich you may please show to the Lds of Trade as a specimen of the Temper of the people. 'Tis an original for Insolence and Nonsense. I do not mention it in any of my letters to their Ldships, etc. But that I know that Govmt and People to be the most piraticall in the Kings Dominions." [Boston, Sept. 15, 1699, Bellomont to Sec. Popple. *N. Y. Col. Docs.* vol. iv, p. 586.]

tled down to the practice of legitimate privateering; henceforth pirates, when caught, were hanged. In Queen Anne's War the most distinguished privateersmen were the Newport Wantons. The founder of this family was Edward Wanton, a Massachusetts man converted to Quakerism by sight of the stark bodies of Quakers dangling on Boston Common. Two of Edward's sons, William and John, removed to Newport and established themselves in ship-building. They were hardy and resourceful, with a natural aptitude for the sea, and just before the Peace of Ryswick, which ended King William's War, performed with a volunteer crew the daring feat of getting alongside a twenty-gun French privateer which had been harrying the coast and boarding and capturing her. For this service, and for the capture (in 1702) of three armed French vessels in the Gulf of St. Lawrence, the brothers were summoned to England and made the recipients of flattering attention by the court.

The Wantons were valiant, yet in the family character there evidently lurked something of the spirit of mischievous perversity. It was brother

"I formerly acquainted your Ldships that Nassaw Isl alias Long Isl was become a great Receptacle for Pirates; I am since more confirm'd that 'tis so. Gillam a notorious pirate was suffered to escape thither from R. I. and tis believed he is still there. . . . I take that Isl especially the East End of it to exceed R. I." [Oct. 20, 1699, Bellomont to Lords of Trade. *N. Y. Col. Docs.* vol. iv, p. 591.]

John, magistrate, that in 1719 arbitrarily imprisoned Nathaniel Kay, the king's collector, in the royal custom-house. It was brother John, deputy-governor, that in 1731 reconvened the General Assembly to discuss Governor Jenckes's veto of the paper money bill after the governor himself had declined to act. Ultimately the unpredictable John — following his father's example — turned Quaker; but not a whit the less for that did he continue a fighting servant of the crown. As governor from 1734 to 1740 he issued commissions to privateers, with a chuckle at the scandal thus created. Admonition he met with the dry remark, that "in all concerns he had listened to the still small voice of divine emanation, and been obedient thereto."

Queen Anne's War was brought to a close in 1713 with the signing of the Peace of Utrecht. In 1714 the queen herself died. The next year she was followed to the grave by the great Louis, her own long-time enemy and the ancient enemy of King William and of Marlborough. Until 1739 there was unwonted repose among the nations. Then, under George II, there broke forth against Spain the War of Jenkins' Ear. In 1744 France went to the aid of Spain. Thereupon the conflict became known as the War of the Austrian Succession, or King George's War, and the Rhode Island privateers, which meanwhile had been do-

ing service merely as trading craft, renewed their armaments and put to sea. But as this war in a naval way had an important official as well as privateering phase, it will be well to consider the official phase of it first.

It is an interesting circumstance that the first lord of the admiralty under the Walpole government — the government responsible for the Spanish War — was Sir Charles Wager, for as a lad Wager had lived in Newport with John Hull. While with Hull the youth had shown such remarkable talent for the sea that he had been taken into the royal navy. Here he had risen through the grades of captain and of rear- and vice-admiral. In 1718 he had passed into civil office as a lord of the admiralty. In 1733 he had been made first lord, — a position which he held at the outbreak of the hostilities now under review. Sir Charles was much regarded by Rhode Islanders. His brilliant career served to fire their seafaring natures with restless zeal against both Spain and France.

The chief naval provision now (1740) made by the colony was the construction of the Tartar, a twenty-six gun sloop capable of berthing a hundred men. This vessel, sometimes alone and at other times in company with the Connecticut colony sloop Defence, patrolled the coasts from Long Island to Martha's Vineyard and effected a number of captures. The Tartar served as convoy in the fruitless Cuban expedition of 1741, but its

principal service was performed in 1745, under Captain Daniel Fones, against Louisburg.

Rhode Island was of the opinion that the Louisburg expedition — the project of Governor William Shirley of Massachusetts — was a piece of reckless folly. As Governor Gideon Wanton said, "The scheme [which was carried by but a single vote at Boston] supposed the concurrence of many accidents, the consequences of any one of which failing would be fatal; the pretense to surprise such a town at such a distance with such a fleet and army appear'd to us . . . a most vain expectation. . . . As there was not to be one experienced officer or soldier . . . nor one engineer in the whole army, we could not avoid reflecting on the fatal miscarriages at Augustine and Carthagena." Shirley had a faith which Rhode Island lacked, and the following thrust by him in a letter to Governor William Greene is not wanting in keenness: "I must acknowledge, Sir, when I consider'd what frequent and very large emissions of paper bills of credit your assembly has of late made for the conveniency of the inhabitants of your colony, . . . I could not entertain the least doubt but that it would have made one emission for his majesty's service."

Although somewhat retarded by convoy duty, the Tartar reached Louisburg on April 25, 1745. On the way the sloop had fallen in with his Catholic Majesty's ship Renommée of thirty-six guns,

bringing dispatches from France, and Fones had been compelled to run the gauntlet of four broadsides in order to avoid capture. In June the plucky captain was sent with the Tartar and two consorts to intercept a body of French and Indians which, to the number of some twelve hundred, were approaching in a fleet of sloops, schooners, and canoes to the relief of the fortress. He met his enemy in Femme Goose Bay and beat them precipitately back.

The next year (1746) the Tartar was held in readiness to convoy Rhode Island's quota in the third great expedition planned by the colonies against Canada; but to such a design the French, by a dramatic and wholly unforeseen movement, put an end.

On the 6th of September, the Kinsale, one of Vice-Admiral Townsend's fleet off Louisburg, brought into port a prize — La Judith. The master, Antony Rodinguez, stated that on the 22d of June he had left Rochelle in company with a fleet of seventy sail, men-of-war and transports; that the former consisted of fourteen ships of the line of from fifty to seventy-four guns each; that the transports carried eight thousand troops; and that the entire force was under the command of the Duc d'Anville. The news was at once forwarded to Governor Shirley, and by him in turn, on September 22, to Governor William Greene at Newport. Shirley's message was accompanied by a declaration

by René Het (a merchant of New York) that it had been learned from the captain of a French prize that Admiral Conflans, while at Petit Gouave in Hispaniola, had taken from a fleet of merchantmen under convoy by him all the masters and pilots acquainted with North American waters, and that, putting others in their room, he had sailed away. What the two statements — Rodinguez's and Het's — meant was that D'Anville and Conflans were to rendezvous somewhere to the north, and, united, to make a descent upon Louisburg.

In the midst of the excitement resulting from this disclosure Fones and the Tartar were sent out, at the request of Governor Shirley, to meet if possible Admiral Lestock, who was daily expected at Louisburg from Spithead with a body of troops, and to warn him of D'Anville's approach. Orders were that until October 25 Fones was to cruise to the southward of Nova Scotia with sealed dispatches for the admiral. If the Tartar should be taken by the French, Fones was to destroy his dispatches, "by no means suffering them to fall into the enemy's hands." But the plans of French and English alike came all to naught. As it chanced, Conflans had reached Halifax (the stipulated rendezvous) early in September. Not finding D'Anville, he had sailed for home. A terrible gale had arisen and the fleet of D'Anville had been badly shattered. To complicate things still more, D'Anville had been stricken down with apoplexy and

had died. His second in command, D'Estournel, overcome with horror at the situation, had literally fallen upon his sword, and the third officer, La Jonquière, had conducted the fleet, battered and pestilence ridden, back to France. The Tartar, meanwhile, sought in vain for Lestock; that officer was yet upon the English coast.

In 1748, upon the conclusion of peace at Aix, the Tartar — the Old Ironsides of Rhode Island — was put up at auction (that melancholy limbo of so much that is historic) and sold to the highest bidder.

The privateering phase of King George's War was brilliant in the extreme. After twenty-six years of quiet the king had authorized Rhode Island to issue letters of marque and reprisal. The streets of Newport, therefore, were thronged with seamen in quest of adventures and prize money. Shirley complained roundly that the Boston sailors all fled to Newport to avoid impressment for Cape Breton, and the complaint was in great part just. Rhode Island, too, was highly cautious about restraining the practice, for privateering was a principal source of wealth to its people. The Malbones, the Browns, the Wantons, the Ayraults, the Freebodys — Newport merchants who had gained wealth in the West India trade — converted their fast sailing ships into armed cruisers, or built ships especially for cruising, and sent them out (brigantines and

brigs), a dozen or fifteen in a year, to prey upon Spanish and French commerce.

There were the Triton, the Victory, the Defiance, the Cæsar, the Mary, the King George, the Young Godfrey, the Prince Frederic, the Prince Charles of Lorraine, and a host more. Each had its own favorite ground of operations. Silently, beautifully, yet withal grimly, they dropped one by one out of the harbor: some for the shrouding fogs of the Newfoundland Banks; some for the straits and channels of the Leeward Islands; some for Madagascar and the Red Sea. If to watch the departure was interesting, it was thrilling to watch the return. Within hulls scarred in fight and beaten by weather there lurked one knew not what treasures of silks or "Kirman" wool, of gold, wines, or ivory. In 1746, 22,500 pieces-of-eight were brought back by the Defiance — John Dennis, captain. As early as 1744, wealth had been garnered by the Prince Charles under Captain Simeon Potter. In the latter case it took the form to some extent of sacred plate rifled from churches along the Spanish Main. The tale of the despoiling of one of these churches — that of Oyapoc — has been told by a Jesuit missionary, Father Fauque, in a letter to his superior. The good priest (he was of exceptional charity) finds excuse for the avariciousness of his Yankee enemy in the fact that "Rodelon [as he calls Rhode Island] was a kind of little republic which did not pay tribute to the King of England, which

elected its governor every year and which had *not even any silver money but only notes for daily commerce.*"

Sometimes privateers went forth and did not return. In 1745, on the day before Christmas, there sailed from Newport for the Spanish Main two large vessels owned in part by Godfrey Malbone and manned by four hundred men. They were met by a fierce "northeaster" accompanied by snow, were never heard of afterwards, and nearly two hundred Newport women were left disconsolate. Then there often was stiff resistance to be encountered. Captain John Dennis was the chief hero in such affairs. In January, 1746, he, while cruising in the West Indies with the Defiance, came up with a French ship of twenty guns, attended by two lesser craft. He boarded the ship, losing fifteen killed and fifteen wounded in the operation, but was rewarded with five hundred hogsheads of sugar and fifty-seven of indigo. It was Dennis who, at this period, got the Rhode Island government into trouble with the governor of Havana by carrying to Newport and selling into slavery (because of their mulatto complexions) twenty-two free Spaniards. In retaliation the Spanish governor, securing one of Dennis's prize crews, shut them up; treating them, as they indignantly wrote, with more brutality than any slaves. An exchange was soon happily effected. The deeply insulted freemen of Spain were bought

back from their Yankee subjection by the owners of the Defiance and of the Duke of Marlboro' (a privateer involved with the Defiance), and sent to Cuba in a flag of truce.

Dennis's crowning exploit was performed in 1747 near the island of Martinique. His name had become a terror to French traders, and the officials at Fort de France sent out a vessel of fourteen guns and one hundred and forty men to make an end of him. After a four hours' conflict, in which Dennis himself was slightly wounded, he took his would-be captor captive and sailed with her proudly to St. Kitts.

Rhode Island, after the Bellomont and Dudley period, was guilty of little that could be called piracy. Nevertheless that ingrained spirit of individualism which showed itself on land in the policy (persistently maintained) of an irredeemable paper currency, and of which the colony's marked freebooting tendencies may also be considered an indication, was not easily tamed. During King George's War, flags of truce (vessels bearing to the French islands French prisoners to be exchanged for English ones) were systematically made use of to carry not alone prisoners but provisions, thus giving direct aid and comfort to the enemy. In 1748, no less than twenty such fraudulent "flags" left Newport. Colonel Robert Rogers, the celebrated scout of the French and Indian wars, boldly declares that the Rhode

Islanders would divide a company of prisoners among a whole fleet of flags of truce, and then with official connivance send to the enemy articles more welcome than all the prisoners, or than would have been the ship and cargo originally taken.

In the war with France that began in 1754 (technically 1756) — the Old French, or Seven Years, War — Rhode Island did nothing at sea as a colony. On land its quotas were kept well filled, and at Lake George, Fort William Henry, Ticonderoga, and Fort Frontenac (as also in 1762 at Havana) it gave a good account of itself. But while at this juncture putting in commission no Tartar, the colony, besides furnishing seamen to the royal navy, commissioned over sixty privateers carrying fifteen hundred men, and repeated the triumphs of former years. Now, though, by reason of the growth of commerce, the losses in merchantmen were heavy. Providence (which since 1740 had come rapidly forward) lost nearly fifty vessels, and Newport more than one hundred. Possibly the greatest loss of all was not that of any merchantmen but of the privateer Foy with bold John Dennis in command. Whether this loss was by tempest or by the enemy was never known. Neither ship nor commander was heard of after August, 1756. In the war of the Revolution William Dennis, a son of John, commanded successively thirteen privateers. Stronger proof there could not well be

that the wonderful privateering of Rhode Island led (among other things) to an American navy, — to a Talbot, to a Whipple, to a Hopkins, to the Decaturs, and to the Perrys.

CHAPTER V

THE GOLDEN AGE OF NEWPORT

(Commerce)

Sugar and Molasses — The Slave Trade — Merchant Magnates — Slaveholding — The Jews as Merchants.

A MORE immediate result of the sea power of Rhode Island was the rise into commercial, social, and intellectual importance of the town of Newport.

By 1675 the exportation from Rhode Island (from Newport especially) of lumber, horses, pork, butter, and cheese had become considerable. At Barbadoes and Nevis these commodities were exchanged for sugar and molasses; and in sugar and molasses the future of Newport became bound up. That is to say, the future of this mart became thus bound up for all of the seventeenth century and for a part of the eighteenth. With the waxing of the eighteenth century the slave trade arose, and thereupon Newport's future became bound up with it.

By means of the reports of the colony governors to the Lords of Trade the evolution of the island of Rhode Island from the agricultural stage into

the commercial may be readily traced. In a report made by Peleg Sanford in 1680 we are told that there were then in the colony no merchants nor "men of considerable estates;" that there was "no shippinge" save a few sloops; and that no customs duties were imposed. Twenty-eight years later the story is quite a different one. In 1708, Governor Samuel Cranston made report that the colony within a decade had built one hundred and three vessels. Of these it possessed twenty-nine itself, and by means of them a brisk trade was carried on with Jamaica, Barbadoes, and Nevis; with the Bermudas and the Bahamas; with Madeira and Curaçoa; and with the American settlements from Massachusetts to South Carolina. The articles imported were sugar, molasses, cotton, indigo, woolens, linens, salt, rum, wines, cocoa, rigging, and iron. A naval officer had been regularly appointed by the governor since 1681. At the date of the Cranston report the population of the colony was 7181. Newport led with 2203, of whom 220 were negroes; Providence came next with 1446, of whom seven were negroes; and third came Kingstown (the Narragansett country) with 1200, of whom the negroes were 85.

As regards Newport, the most significant statement by Cranston is that now for a considerable period the land of the island had all been "taken up and improved in small farms," a condition which had compelled later generations to betake

themselves to the sea. It was from this cause that ship-building had been developed. From this cause, too, there were beginning to appear those "merchants," those "men of considerable estates" the lack of whom in 1680 was dolefully recorded by Peleg Sanford. The sugar and molasses which ever since 1660 had been coming into Newport were distilled there into New England rum, and this article (together with candles made from tallow or oil substances) found a market throughout the West Indies. By 1731, when Governor Joseph Jenckes made his report to the Lords of Trade, it is evident that sugar and molasses on the one hand, and rum on the other, were the staples of Newport, and so of Rhode Island, prosperity.

Newport consisted now of four hundred houses. It had passed beyond the time (1707) when, as the town records inform us, the streets were at the mercy of filth precipitated from stables and sinks to "ye spoyling and damnifying of peoples Apparill." In 1731 the centre of life was "the parade" (Washington Square), at the head of which stood the Colony House. Into the parade Thames Street opened, and from it there projected westwardly into the old town cove a wharf — Long Wharf. The principal dwellings were about the parade and on Thames Street. Along the wharves were warehouses and sailors' boarding-houses, together with the shops of venders of anchors and cordage and of sail-makers, caulkers, and shipwrights. Long

Wharf was largely the scene of the activities of Newport's four hundred seamen. From this station there passed out to sea the colony's ten or twelve sail that each year visited Surinam, St. Eustatia, and St. Thomas; and the one or two that ranged as far as Genoa, Leghorn, Holland, or the British Isles. At this station there were unloaded the duck, cordage, broadcloths, serges, hollands, thread, laces, needles, pins, tape, scythes, and iron-ware brought in coasters from Boston.

The prosperity thus indicated, and a like prosperity indicated by the crowded wharves of Boston — all based on sugar and molasses — was by no means relished by the English sugar planters of the West Indies — of Jamaica, Barbadoes, Antigua, and Nevis. These planters were desirous of exclusively supplying the northern colonial market; and when they found themselves (as in 1731 they constantly did) anticipated by the Dutch of Surinam and St. Eustatia, they complained loudly to the Lords of Trade. By the latter, in 1731, steps began to be taken toward the imposition of a sugar duty. The agent for Rhode Island in London was Richard Partridge (a successor to William Penn and, like him, a Quaker), and, between 1731 and 1733, he did what he could by representation and petition to defeat the projected measure. It was, he pointed out, the profits of the trade in sugar and molasses that enabled Rhode Island merchants to purchase English manufac-

tured goods. All, however, was to no avail, and in 1733 a law went into effect imposing 9d. per gallon on rum and 5s. per hundredweight on sugar. This law was continued without modification down to 1764.

It was while the Sugar Act was pending that Governor Jenckes submitted his query regarding the veto power (if any) which pertained to his office, and Partridge was highly concerned lest the query should complicate Rhode Island's position toward the act. But when at length the act was about to pass, the agent — a man evidently of conviction as well as of circumspection — prophetically wrote: "I am of opinion if such a Law take place (besides the present Injury it will do), it will be rather worse in the consequence of it than the Bill of prohibition last year, because of the levying a subsidy upon a Free People without their knowledge agst their consent, who have the libertys and Immunitys granted them of Natural born Subjects, and when they have enough to do to raise Taxes for their own Support; besides it may be drawn into a President for the future, for by the same Rule that a British Parliamt imposes a duty on the King's Subjects abroad, who have no Representatives in the state here, they may from 4/ advance to 20/ — to £100, on different things, and so ad infinitum, which is an Infringement on Liberty and Property and as I apprehend a violation of the Right of the Subject."

The law against human slavery, passed by the mainland towns of Rhode Island in 1652, expressed the sentiment of the northern part of the colony. It may be doubted whether it expressed the sentiment of the southern part then under an independent government. Whether it did or not, it did not do so after that part had (about 1700) begun to exchange agriculture for commerce. Yet even the slave trade was divisible into varieties. There was the respectable or, as it has been called, "genteel" variety lasting throughout the period when the traffic was legal — the first three quarters of the eighteenth century. There also was the outlawed and piratical variety lasting to the middle of the nineteenth century. Newport was concerned with both varieties, but it was the "genteel" variety that built up its fortunes.

By the Treaty of Utrecht, concluded between Queen Anne and Louis XIV on April 11, 1713, England obtained the Hudson Bay territory, Acadia, Newfoundland, and Gibraltar. Further, there was obtained an assignment of the *Assiento* — a contract with Spain on the part of a French corporation, called the French Guinea Company, whereby forty-eight hundred African slaves were to be landed each year in Spanish America for thirty years. The execution of the contract was intrusted by England to a company, called the Royal African, which, besides paying a large sum to Spain in cash, was to divide one half its

profits annually between the Spanish and British kings. But so much fault was found with this monopoly by Parliament that it was deemed advisable to continue the former practice of admitting private persons to the benefits of the trade, on the payment of a duty of ten per cent on all goods sent by them to Africa to be exchanged for negroes.

The overthrow of the Assiento monopoly was followed by an immense expansion in the slave business. Prior to 1708 Rhode Island had imported but one human cargo from Africa. It came in 1696, and the negroes were disposed of at between £30 and £35 per head. Between 1698 and 1707 negroes to the number of twenty or thirty a year were imported from Barbadoes. They sold at from £30 to £40 per head, but were in no great demand. By 1700, however, Rhode Island had begun to perceive where lay the path to fortune. In that year, instead of importing negroes for itself, it sent (under the tutelage of two Barbadian merchants) three vessels to Africa to obtain a cargo of slaves to be sold in Barbadoes.

Henceforth it was not seldom that advantage was taken of the West India market to cover the so-called triangular course: from Newport (with rum manufactured from West India sugar and molasses) to Africa; from Africa (with slaves purchased with this rum) to the West Indies; and, finally, from the West Indies (with more sugar and

molasses purchased with the proceeds of the slaves) back again to Newport. Yet the business of home importation was not neglected, for out of the avails of a £3 duty levied in 1708 upon each negro imported from Barbadoes, provision was made for paving and renovating those Newport streets along which people had not yet ceased to fare to "ye spoyling and damnifying of [their] Apparill."

But to resume from 1739. Between that date and about 1760 the trade in slaves was at its height; and as by means of the trade in question there was amassed the wealth which formed the foundation of Newport society and of Newport culture, an account of it will be of use.

In 1740 the colony, according to Governor Richard Ward, possessed 120 sail, "some on the coast of Africa." By 1763 the number of sail had increased to 184, exclusive of coasters, which were 352. In navigating the various craft there were employed 2200 seamen. Eighteen hundred hogsheads of rum had for a long period been carried annually to Africa and exchanged for negroes, gold dust, and ivory. To supply the rum there were operated in Newport between twenty and thirty "distill houses." In a word, between 1750 and 1760 Newport was the great slave mart for America, as London and Bristol were for England. Its wharves — in the multiplicity of which Long Wharf could barely be distinguished — were so crowded "with

vessel lading for Guinea" that often, we are told, it was impracticable "to get one hogshead of rum for the cash."

A coterie of Newport merchants, let us suppose, are about to send out two or three slavers in the year 1750. One of the vessels will be a new one built for the occasion. The work of building probably will be done at Newport, but it may be done at Warren or Bristol — towns among those acquired in 1747 from Massachusetts, and both eager traders in slaves. In freeboard dimensions the new vessel (according to the naval writer Mr. John R. Spears) will compare with the largest "cup defenders" constructed to-day at Bristol by the Herreshoffs. Her register will be not far from fifty tons; she will be rigged as a sloop or brigantine; and her approximate cost will be £1350.

Our three craft (now ready for their cargo) will be laden each with 120 or 150 hogsheads of rum, a quantity of provisions, muskets, and powder, and an assortment of shackles. There will still remain insurance to be effected, and this — secured at a rate of eighteen or twenty per cent — will be found to justify its cost by the indemnity afforded against such hazards (besides fire) as "men-of-war, enemies, pyrates, rovers, thieves, jettisons, letters of mart and countermart, sorprizals, taking at sea, barratry of the master and marines," etc. Then the little fleet will sail "bound," as the bill of lading will piously declare, "by God's grace for the coast of

Africa." Even yet there may be no sailing if the horoscope has not been cast; or if, on being cast, it has not been found favorable; for the captains of the day are nothing if not superstitious, and will as soon think of quitting port without a clearance as without warrant from a soothsayer.

Once on the coast (at Anamaboe let us say), the captains will summon the native chiefs or headmen to a collation well spiced with rum and gifts, and in return the chiefs will supply to the captains slaves: men, women, and children made captive in war, or otherwise reduced to subjection. As fast as received the slaves will be paid for at an average price (per head of sound adults) of a hundred gallons of rum, and stowed in the between-decks space, — a space three feet and ten inches in height. Here the women and children will be given their freedom, — a freedom to sit or lie down. The men will be stretched upon their backs feet out-board, and in this position will be ironed fast by chains or rods. When a cargo of one hundred or one hundred and twenty negroes for each ship has been collected, the return voyage or, as it was technically called, the "middle passage" will be begun. It will consume from six to ten weeks and terminate at Barbadoes, where the cargo will be sold at a profit of from £12 to £25 per head. Our little coterie of Newport merchants will (as a coterie) reap a profit, per ship, on their venture of from £1800 to £2000; all, too, in six or eight

months' time, and without taking into the account the cargo of ten thousand gallons, or more, of molasses with which they will load at Barbadoes for Newport.

In spite of soothsayers and horoscopes, ill luck occasionally beset a voyage. It was in view of an unusual bit of ill luck that David Lindsay of Newport, captain of the brigantine Sanderson, wrote from Anamaboe and Barbadoes, in 1753, those delightfully misspelled letters which proclaim him (along with Mrs. Benjamin Franklin) a true child of the eighteenth century. "I have Gott 13 or 14 hhds of rum yet Left aboard," wrote the captain from Anamaboe, "and God noes when I shall Gett clear of it." "Ye traid is so dull it is actually a noof to make a man creasey. . . on the whole I never had so much Trouble in all my voiges." Nevertheless from Barbadoes he could write: "My slaves is not landed yet: they are 56 in number for owners, all in helth & fatt. I lost one small gall." Not so bad this, after all. And that Captain Lindsay got his cargo through "in helth & Fatt," only "one small gall" having been so inconsiderate as to die on his hands, shows that he was a worthy servant of those Newport magnates who, as James Fenimore Cooper tersely phrases it, in becoming slave-dealers had become gentlemen.[1]

[1] "Sales of Forty Seven Negroes, & a parcel of Lumber & Water Casks imported in the Brigg'a. *Sanderson*, & put into my hands by Captain David Lindsay, on the proper account and

The magnates at Newport between 1730 and 1770 — while the town was advancing in population from five to nine thousand souls — who were they?

There had just died (1727) one of the most

risque of Messrs. William Johnston & Peter Brown, of Rhode Island, owners of said Brigg'a.

Date. 1753	Men.	Women.	Men Boys.	Small Boys.	Girls.	Small Girls.	Feet of Boards.	Staves.	Shingles.	Water Casks.	Prices	£	s.	d.
June 18	10	4	11	–	–	–	–	–	–	–	£35 ..	875	0	0
	–	1	–	–	–	–	–	–	–	–	.. .. ..	30	0	0
	–	–	–	–	–	1	–	–	–	–	.. .. ..	25	0	0
	–	–	–	2	–	–	–	–	–	–	£29 ..	58	0	0
	–	–	–	1	–	–	–	–	–	–	.. .. ..	28	0	0
	1	–	–	–	–	–	–	–	–	–	.. .. ..	30	0	0
	–	–	–	–	–	1	–	–	–	–	.. .. ..	22	10	0
	–	–	–	1	–	–	–	–	–	–	.. .. ..	22	10	0
	–	–	–	1	–	–	–	–	–	–	.. .. ..	22	10	0
	–	1	–	–	–	–	–	–	–	–	.. .. ..	29	0	0
	–	–	–	1	–	–	–	–	–	–	.. .. ..	24	2	6
	–	–	–	–	–	1	–	–	–	–	.. .. ..	21	0	0
	–	–	–	–	1	–	–	–	–	–	.. .. ..	30	0	0
	2	1	–	–	1	–	–	–	–	–	Ord'ry £25	100	0	0
	1	2	–	1	–	–	–	–	–	–	do. do.	100	0	0
	–	–	–	1	–	–	–	–	–	–	.. .. ..	15	0	0
	14	9	11	8	2	3	–	–	–	–	.. .. ..	£1432	12	6
	–	–	–	–	–	–	4256	1353	–	–	@ £4 per m.	22	13	6
	–	–	–	–	–	–	–	8500	20		@ 15s. & 5s.	11	7	6
												£1466	13	6

CHARGES DEDUCED, VIZ.

To cash paid for Permit to Land the Slaves	£00	5	0
" Duty on 47 Slaves @ 5s.	11	15	0
" for Drummer attending the Sales	0	5	0
" paid for carrying Notes into the Country, for Liquor at the Sales & for Wherry hire	1	19	5
To the Captain's Coast Commission on £1432 12 6	55	2	2
To Commissions on £1466 13 6 @ 5 p. ct.	73	6	8
	142	15	3
	£1324	0	3

Nett Proceeds carried to the credit of
Messrs. William Johnston & Peter Brown,
Rhode Island; Their Acct. Curt.
Barbados July 10th 1753
Errors excepted

ELIAS MERIVIELLE."

Am. Hist. Record, vol. i, p. 339.

notable Newport magnates of the old or landed order — the order of William Harris, William Coddington, and William Brenton — namely, Samuel Cranston. Thirty successive times had he been elected governor of the colony. Within the period of his incumbency there had fallen the exciting decade of piracy, perplexing years of the endless disputes over money and boundaries, and one war — Queen Anne's. At no time had he failed to inspire public confidence by the exercise of that rare faculty which he possessed of sympathetically reflecting public feeling; a faculty exercised no less in the admitting of pirates to bail than in a careful avoidance of acts offensive to either the advocates of soft money or hard.

Of the new or mercantile class — the class of genuine sea-lords — the first in point of date and consequence were undoubtedly our acquaintances William and John Wanton. With them shipbuilding, privateering, and mercantile adventuring were interchangeable occupations.

A later group of merchants (and upon the whole the group most characteristic of eighteenth century Rhode Island) embraced in large part men already known to us through their protests to the king against paper money. These men (Newporters all) were Abraham Redwood, William Ellery, Henry Collins, John Brown, Peleg Brown, Daniel Ayrault, John Freebody, Samuel Freebody, Godfrey Malbone, John Malbone, Sueton Grant,

John Channing, Gideon Wanton, Joseph Wanton, Samuel Vernon, Thomas Hazard, Solomon Townsend, and Abraham Whipple. And not only were these men merchants; they in the main were merchants of magnanimous minds. They belonged to the class that in the Italy of the fifteenth century delighted to adorn the State with palaces, and to fill these palaces with beautiful and costly objects of art. It of course was at a humble distance that the Newport dealer in sugar, rum, and slaves trod in the steps of the Venetian or Florentine who had trafficked in silks, tapestries, precious stones, aromatic woods, and ivory, but none the less he trod there; so obviously, indeed, that in one instance (that of Henry Collins) the appellation bestowed is that of the Lorenzo de Medici of Newport.

The dwellings of the mercantile group before us consisted in spacious wooden houses of two and a half or three stories, with gambrel or hip roofs. The doorways were ornamented by fluted posts and scrolled pediments. The halls were central and wide, and the principal chambers were wainscoted nearly to the ceiling. Moreover, there were not wanting (to those possessed of the wealth or humor for them) country places — suburban villas. The latter were approached by roads (none too good) over the undulous and, in that day, tree-clad surface of the island; and, when gained by the visitor, were found surrounded by gardens somewhat formally

laid out but made bright by flowers and sweet by scented shrubs. The country abode of Abraham Redwood was in Portsmouth, and, under the name of "Redwood," was widely known for its unusual botanical specimens.

According to tradition, the rural mansion and estate which, between 1744 and 1766, outranked all others near Newport was that of Godfrey Malbone. There is little in the way of information about Malbone that is trustworthy; but we know that he was a rough and ready seafaring man of Virginia birth, a bold trader in slaves, fond of privateering enterprises, and a stanch churchman, in short a Byronic character. In 1744, just after the Spanish War had merged into that of King George, and just after a handsome return had begun to be realized from the sale of condemned Spanish and French prizes, Malbone purchased at the foot of Miantonomy Hill a tract of six hundred acres sloping full to the bay on the west. Here he built of Connecticut stone a large house which he surmounted with a cupola and surrounded with grounds embellished by hedges, terraces, parterres of flowers, and ponds of glinting fish. A famous *bon vivant* was our nabob in the style of the day — the Georgian style — one rather heavy and coarse when the company consisted of men. And of men we may be assured that it frequently did consist with a host who relished exceedingly his turtle, his joint, his punch brewed of rum, sugar,

lime-juice, and arrack, and above all, his oath and his broad jest.

As early as 1740 Newport was cosmopolitan. The Redwoods were there from Antigua; the De Courcys from Ireland; the Grants and Edward Scott (grand-uncle of Sir Walter) from Scotland; and the Bretts from Germany. Huguenot families, too, from the Carolinas, driven away by the Indian wars, had to some extent made the place a refuge with their slaves. Society possessed strong elements of attraction. Clubs, or what were the equivalent of clubs, soon appeared in such organizations as the Newport Artillery, formed in 1741, and the Fellowship Club (a mariners' society), formed in 1752. In 1761 the town was visited by a theatrical troup. For two months renditions of plays were given; of Shakespearian plays sometimes, but oftener of "The Spectre Bridegroom," "The Conscious Lover" (by Richard Steele), "The Lying Valet," and "The Devil to Pay." The same company afterwards went to Providence, but the colder temper of that locality proved inhospitable, and the next year theatrical exhibitions were prohibited throughout the colony.

At this time, as during the Revolution, the young women of Newport were charming for color of cheeks, lightness of foot, and grace of deportment; and the fact that many of them were from Quaker families did not interfere with their participation in the gayeties that prevailed. Besides the

theatre and the prim "teas," there were parties to Fort George at which dainties were served and sets formed to dance the "Faithful Shepherd" and "Arcadian Nuptials." Then, too, the shops held forth a constant lure in fabrics and curiosities from both Europe and the Indies; and if naught else offered, a young woman could join a spinning match at Dr. Ezra Stiles's, buy a lottery ticket for a charity, or invest her pin-money in spermaceti candles to be carried abroad and converted into Irish linen for her future domestic establishment.

Newport life was ministered to by slavery as a traffic. It also to some degree was ministered to by slavery as an institution. In 1708 the town possessed 220 negroes, and even in 1680 Governor Peleg Sanford had reported the presence of "blacks" as a distinct element. By 1730 there were in the town 649 "blacks." In the entire colony at this date the negroes were 1648. Eighteen years later the total for the colony, including those belonging to the recently acquired towns on the east of the bay, was 3077; and by 1756 this number had been increased to 4697 — the maximum before the Revolution.

It was no unusual sight at a Newport wharf, that of some slaver discharging its human cargo; "the sellers and buyers of men, women, and children thronging the market place." The fact that a man was a Quaker did not as yet much restrain him as

a buyer. Joseph Wanton, son of Governor William Wanton, and last colonial governor of Rhode Island, made affirmation that "in 1758 he had sailed from Newport in the snow King of Prussia, with a cargo of 124 hogsheads of rum," etc., and that "while at anchor at Annamibo, having on board fifty-four slaves," he was taken by a French privateer, etc. Yet this same Joseph was careful to record at the beginning of his statement that "he was one of the people called Quakers and conscientiously scrupulous about taking an oath." Every Newport family of pretensions owned slaves. They were kept as domestic servants and not treated harshly. Upon one occasion the Newport "Mercury" printed an advertisement as follows: "Wanted: a negro from sixteen to twenty-five, free from bad smell, strait limbed, active, healthy, good-tempered, honest, sober, quick at apprehension, and not used to run away." If the advertiser got what he sought he was fortunate.

On the whole, the negro slave at Newport was more a nuisance than a benefit. There was little work there for him to do that could not be done better by a white man, and the climate gave him no superiority in point of endurance. He had three distinct failings: he was fond of rum, he would steal, and he would run away. The offenses of theft and absconding were usually combined. In the Newport "Mercury" there may be found notices not a few of the escape of Pomp "very artful and insinu-

ating;" of the escape of Cæsar "who plays well the violin;" or of the escape of Sarah, "a lusty mulatto, polite and ingenious at needlework" — each and all the bearers of some purloined article. To place the slave under better control, various laws were passed. In 1704 negroes were forbidden to be abroad after nine at night. In 1714 ferrymen were forbidden to transport them without a certificate from their masters. In 1743 (and of special significance is this law) a punishment by branding and scourging was provided for "negroes that shall attempt to commit rape on any white woman." Between 1728 and 1770 acts also were passed regulating manumission and against the keeping by free negroes of "disorderly houses."

Among the free negroes of Newport the most celebrated was Newport Gardner. He is described as "tall, straight, and dignified;" and his attainments (for one of his race) were remarkable. He taught himself much of the science and art of music, composed tunes, conducted a successful singing school, and founded a colored church. In addition to being able to read and write English, he could speak French. His weakness was an appetite for rum.

Two classes of the Newport merchant magnate have been considered: the class that was as much privateersman as merchant (of which the Wanton family in its earlier representatives is an apt illus-

tration) and the class that though engaged in privateering were not so engaged personally and that depended more and more for emolument upon the slave trade.

But there was a third class. It consisted of the Newport Jew, and it differed from the others in that, besides the rum and slave trade, its members followed general commerce, reaching out for the commodities of the Mediterranean and the Levant.

Jews are heard of in Newport in 1658 — the Campannalls, the Packeckoes, the Levis, and others. Then in 1694 a number of families arrived from the West Indies (Curaçoa). It was natural that Jews should seek Rhode Island. In enumerating the persecuted races and classes for the benefit of whom the "livelie experiment" was designed, Roger Williams had specifically spoken of the Children of Abraham. "By the merciful assistance of the Most High," Williams had said, "I have desired to labor in Europe, in America, with English, with Barbarians, yea, and also I have longed after some trading with Jews themselves, for whose hard measure, I fear the nations and England have yet a score to pay." "All these consciences (yea the very consciences of the papists, Jews &c.,) . . . ought freely and impartially to be permitted their several respective worships." Yet even in Rhode Island the lot of the Jew was not always happy. As early as 1684, Simon Medus,

David Brown, and other Jews found it expedient to secure from the Rhode Island General Assembly a declaration that they "might expect as good protection as any stranger . . . residing amongst us, . . . being obedient to his Majesty's laws."

The Jews who became Newport magnates were of the eighteenth century — Aaron Lopez, Abraham Rodriguez Rivera, and Myer Pollock. They arrived from Portugal and Spain, by way of New York, between 1740 and 1760. Aaron Lopez was the most prominent of them, and he had fled from Portugal to escape the Inquisition. Associated with Aaron Lopez was his brother Moses. This firm and Myer Pollock gave attention to the trade in molasses and slaves. The Lopez Brothers — who owned no less than twenty-five or thirty different craft — encouraged also a movement (seriously begun in 1733) for the participation of Rhode Islanders in whale-catching, extending the "catch," it is said, as far as the Falkland Islands. It was Rivera who more particularly devoted his energies to commerce with France and the East. But his activities were not limited to commerce. Superior methods for the production of sperm oil were introduced by him. Indeed, so successful were his methods that by 1761 there were in existence at Newport seventeen oil and candle establishments. Largely at the instance of the Jewish merchants in the various colonies, there had come to be formed an intercolonial combination or trust for the maintenance of

prices by an apportionment of material and regulation of output.

"We had yesterday," wrote Richard Partridge from London on November 25, 1755, "advice via France of the dreadful Earth Quake and Fire at Lisbon on 1st Novr. wherein were destroyed as its judged 100,000 People and the greatest part of the City." As a sequel to this catastrophe, the number of Portuguese Jews in Newport was increased. Just prior to the Revolution there were there in all perhaps two hundred Hebrew families.

By the early trade in molasses and rum; by the privateering of the Wantons; by the slave trade of the Malbones; and finally, by the wider and more princely commercial ventures of the families of Lopez and Rivera, Newport so waxed in wealth that although between 1750 and 1770 still behind Boston, "a bold prophet was he who said then that New York one day might equal Newport."

CHAPTER VI

THE GOLDEN AGE OF NEWPORT — *continued*

(*Letters, Art, Science*)

Dean Berkeley — The Redwood Library, Gilbert Stuart, the Jewish Synagogue — Dr. Ezra Stiles — Newport *vs.* Boston.

THE individualism of Rhode Island — based, as it was, on that which was spiritual — on the Soul Liberty of Roger Williams and the "inner light" of the Antinomians, Anabaptists, and Quakers — could not, under favoring conditions, but flower forth in idealism. Beginning with 1729, these conditions were supplied at Newport by the development there of wealth through commerce, and by the presence there, for a time, of the greatest idealist among English philosophers — George Berkeley, Dean of Derry.

It was early in the year when Dean Berkeley reached Newport. He brought with him his wife (daughter of Chief Justice Forster), whom he had just married, and the portrait painter Smibert, of whom Walpole makes mention in his "Anecdotes of Painting." Dr. Thomas Moffatt, a learned Scottish physician, was also to have been of the party, but was detained by illness. "The Dean," said the

"New England Weekly Journal," announcing his arrival, "is a gentleman of middle stature, of an agreeable, pleasant, and erect aspect." The object of Berkeley in coming to Rhode Island was to await the remittance by Sir Robert Walpole of £20,000 for the founding of a college in the Bermudas for the Christianization and education of Indian youth; but the coming was not significant for Newport because of this. It was significant because of something altogether different; because, in a word, of what Berkeley himself was in mind, spirit, and training.

The advent of the dean in Newport was like that of Petrarch in Parma or Avignon; it was the advent of a renaissance. Along with him there came not alone great intellectual independence and abounding human charity, but there came culture — the atmosphere of intimate association with men of letters: with Richard Steele, with Dean Swift (to whom our visitor was indebted for presentation at Queen Anne's court), with "Young Mr. Pope," and finally with Addison, whose "Cato" he had witnessed on its first night in the company of the author, the latter a bit nervous but fortified for the occasion by two or three flasks of burgundy and champagne. Nor was the culture which came with him by any means purely insular. It breathed of the Continent and of travel: of France and Gothic cathedrals; of North Italy and dim fugitive madonnas; of Naples pulsing with life; of Vesuvius;

of Capri; of Cumæ and Misenum and the spirit of Virgil.

As has been intimated, there was at Newport a considerable preparedness for the influences emanating from Berkeley. In what, specifically, did this preparedness consist?

Throughout the colony there was little in the way of means of public education. Despite the earnest plea of Master William Turpin, preferred in impeccable script in 1685, Providence maintained no public school, nor was to do so for many years to come. Conditions were somewhat better, though not much, in Portsmouth and Warwick. In that part of Rhode Island which in 1729 was still claimed by Massachusetts things were promising. At Barrington and Bristol there were schools — schools that since 1673 and 1682 had taught such formidable branches as "Grammar, Rhetoric, Lattin, Greek, and Hebrew." Newport, in respect to schools, might not compare with Barrington or Bristol, but it had not fared ill. There was a schoolhouse there in 1685, and by 1710 permission had been granted for "a Latin school in the two little rooms" in the town schoolhouse.

The press — a further means of education — had no place in the colony at large; but in 1727 James Franklin (brother of the progressive Benjamin) had removed from Boston to Newport, and now was printing books. In a short while (1732) he was to begin the publication of Rhode Island's

first newspaper, the "Gazette," and in 1758 his son was to found the "Mercury."

But if — even at Newport — public education was in no very forward stage,[1] a measurable substitute for it existed in an active sectarianism. There was, it is true, no longer manifest that feverishness which had provoked sorrow in Winthrop and ire in Cotton Mather. The theological mixture no longer seethed in its tiny caldron. Precipitation, indeed, was well advanced, for, where once there had been Gortonism and Antinomianism and Anabaptism and Quakerism and Seekerism, there now were only Baptism and Quakerism; and instability in these elements was checked by Episcopalianism and Congregationalism.

At the time of Berkeley's coming there were in flourishing condition in Providence the original, or Roger Williams, Baptist Church and one Congregational and one Episcopal body; the Congregational body ministered to by the Rev. Josiah Cotton, a great-grandson of John Cotton, the early antagonist of Williams in public controversy. In Westerly the Seventh Day Baptists held strong sway. In Narragansett — scene of the

[1] Down to 1904 Rhode Island was without a uniform system of education. Until 1902 children could be withdrawn from school at the age of twelve. They still may so be withdrawn at thirteen. Attendance up to thirteen is unsatisfactory, as local sentiment (especially among the foreign-born) sanctions the employment of young children in factories. — *R. I. School Reports*, 1903, 1904.

devotional labors of both Roger Williams and William Blackstone — Episcopalianism was established. In Newport itself there were no less than seven churches, four of them Baptist — one a Seventh Day church organized in 1671. Of the others, one was Congregational, one Episcopal, and one Quaker; the latter, of course, very large. The men — the more prominent of them — at the head of these bodies were the Rev. Nathaniel Clap (Congregationalist), the Rev. John Comer (Baptist), and the Rev. James Honyman (Episcopalian). Moreover, in the case of Honyman, a handsome church edifice with ample interior and lofty steeple was at command; as, withal, a towering pulpit from which the visiting dean might, as he often did, deliver his chastened message to the flock below.

The preparedness of Newport for Berkeley, however, is made evident not so much by the existence of varied and active church circles as by the fact, first, that these circles were mutually tolerant; and by the fact, second, that in the case of such among them as had wealth, that wealth had been used in the cultivation of a taste for books, pictures, and architecture.

On April 24, 1729, the dean wrote to his friend "Tom Prior" at Dublin: "Here are four sorts of Anabaptists, besides Presbyterians, Quakers, Independents, and many of no profession at all. Notwithstanding so many differences, here are

fewer quarrels about religion than elsewhere, the people living peaceably with their neighbors of whatsoever persuasion." Of the intellectuality of the Newporters the writer was fast making proof through his acquaintances: William Wanton, churchman and governor of the colony; Daniel Updike of Narragansett, attorney-general and lover of history; William Ellery, father of the William Ellery who one day was to be a signer of the Declaration of Independence; the munificent Henry Collins, soon to be accounted a patron of Smibert; and Samuel Johnson, future president of King's, afterwards Columbia College, New York. It is altogether likely that the plan which now was conceived by a number of these men for forming a society for literary and philosophical discussion — the Philosophical Society so-called, precursor of the Redwood Library — was an outcome of the presence at Newport of Berkeley. At all events, it was in 1730 that this body was organized.

Less than three short years the dean remained in Rhode Island, — an interval which he improved by building a country home (Whitehall) near the Hanging Rocks and the sea, and by composing his Plato-like "Alciphron,"— but the radiance with which his coming had been attended did not vanish away at his departure. When, in the autumn of 1731, assured at length of the recreancy of Walpole in the matter of the Bermuda College, he

took ship for England, he left behind him a stimulus that lasted far into the century.

With the unique figure of Berkeley removed — that figure the forerunner of Hume, who was the forerunner of Immanuel Kant — things of intellectual and artistic consequence in the little harbor town were cared for down to the Revolution by various individuals, worthy successors to the philosopher and man of artistic appreciation. As patrons of art and public improvements, there were Henry Collins and Abraham Redwood; as architects, there were Richard Munday and Peter Harrison; as painters, there were John Smibert, Robert Feke, Gilbert Stuart, Cosmo Alexander (Stuart's teacher), and Samuel King; as scholars and theologians, there were Nathaniel Clap, James Honyman, John Comer, John Callender, Isaac Touro, Ezra Stiles, and Samuel Hopkins; as printers and publishers, there were the Franklins and Solomon Southwick; as men of science, there were Dr. Thomas Moffatt, Dr. Thomas Brett (Leyden graduate), and Dr. William Hunter, distinguished lecturer upon anatomy.

Upon the achievements of these men a glance only may here be bestowed. Redwood in 1747 furnished the nucleus of a book fund. Collins the same year donated a site for the construction of a building to be called the Redwood Library; and, from the plans of Harrison, who had received his

training under Sir John Vanbrugh, architect of Blenheim House, the structure was completed in 1750. Harrison, later, was to design the City Hall and Jewish Synagogue. Already Munday had wrought the elegant proportions of Trinity Church and the dignified proportions of the Colony Capitol. Smibert, Feke, and King (portrait painters in oils) are known from their works preserved in many collections in New England; while of Gilbert Stuart as a painter it is in no wise necessary to speak. Apropos of him (a snuff grinder's son, born in Narragansett on December 3, 1755, in a house remote, lonesome, and looking into the depths of what not inaptly may be called the dark tarn of Auber), one can but marvel at the sources and haunts of genius.

Of exceptional interest are the theologians of the Newport golden age. Gathered in one small community — one at the best of not over nine thousand souls — there were not merely Baptists, Quakers, Congregationalists, and Episcopalians, but Jews; and (after 1758) Moravians.

In the case of the Jews, the position of huzan or reader was filled by Isaac Touro, a refugee from Portugal after the great earthquake. It was during Touro's incumbency that the synagogue was dedicated. December 2, 1763, was the date, and the ceremony was stately and impressive. There now were some seventy or eighty Jews resident in Newport, and the Books of the Law (three copies of the

Pentateuch executed on tanned calfskin, one a copy from Amsterdam two centuries old) were carried by them in solemn procession to be deposited (symbolically) in the Ark of the Covenant. Dr. Ezra Stiles was present on the occasion, and he describes the reading of Scripture by the huzan and the intoning of the service by huzan and people as profoundly impressive. The impressiveness in no small degree was due to the synagogue itself, spacious, and with a deep gallery supported on Ionic columns which in turn were surmounted by Corinthian pillars sustaining the roof. Says Dr. Stiles: "The order and decorum, the harmony and solemnity of the musick, together with a handsome assembly of people, in an edifice the most perfect of the Temple kind perhaps in America, and splendidly illuminated, could not but raise in the mind a faint idea of the majesty and grandeur of the ancient Jewish worship." Nor, in this connection, should it be overlooked that to Abraham and Judah Touro, sons of the huzan of 1763, Newport stands indebted for its noble Jewish cemetery, fenced from the street by granite and iron, and kept ever beautiful with flowers, — a cemetery the land for which was in part purchased in 1677.

Not a little strange must it have seemed to the Rev. Dr. Stiles and to the Rev. Dr. Hopkins — Congregationalists of the strictest sect — to find themselves in such religious company as obtained

in Newport. Episcopalianism even was less exotic in Rhode Island than was Congregationalism. Trinity Church had been founded since 1699; and St. Paul's, Narragansett, since 1707; and it had been an observation of Berkeley's that the Anabaptists and Quakers each agreed that the Church of England was "the second best." Stiles and Hopkins were in a highly undogmatic atmosphere; and though upon Hopkins (disciple of the relentless Edwards) the effect was limited, upon Stiles it unquestionably was far-reaching.

The latter, indeed, despite the *brusquerie* of his memorable consignment to hell of the unregenerate Ethan Allen of Vermont, was a man of astonishing breadth. He was broad enough to make a close companion of Touro, and of a visiting Rabbi, Haym Isaac Karigal. He was broad enough to seek out Albertus Ludolphus Rusmeyer, the pastor of the Moravians, and to make a companion of him. He was broad enough to converse tolerantly with a visiting Romish priest, a knight of St. John. He was broad enough to read the Philosophical Dictionary of Voltaire, and to finish it with the comment: "He [Voltaire] has some instructive remarks." He was broad enough (and perhaps this was a crucial test) to take an intelligent interest in Roger Williams and Samuel Gorton, making a pilgrimage to the grave of the one, and seeking throughout Warwick for incidents in the life of the other.[1]

[1] Nowhere, possibly, is the catholicity of Stiles more clearly

Not only did Stiles have breadth, he possessed (and in this no doubt lay much of the secret of his breadth) a scholarship and an intellectual curiosity that were splendidly varied. His interest ranged easily from "Jeremiah" to comets. Little that was human was alien to him. The result was that instead of degenerating into a pedant, he became one of the most useful men in Newport. He was librarian of the Redwood Library. When George II died, he preached the commemorative sermon. When Dr. Franklin's experiments in electricity were published, he at once procured the quarto. When, on June 3, 1769, there occurred the transit of Venus, he was ready for it. For days in advance he had been "taking equal altitudes;" "getting made an astronomical sextant;" "regulating two clocks by the meridian." On the eventful day itself the record stands thus: "Fine serene day. . . . The transit of Venus will not happen

shown than in his lament (June 8, 1782) upon the death of his friend Aaron Lopez, the Jewish Newport merchant. He writes: "He was a Merchant of the first eminence; for Honor & extent of commerce probably surpassed by no Mercht in America. . . . Without a single enemy & the most universally beloved by an extensive Acquaintance of any man I ever knew. . . . The amiable and excellent Characters of a Lopez, of a Manasseh Ben Israel, of a Socrates, & a Gangenelli, would almost persuade us to hope that their Excellency was infused by Heaven, and that the virtuous & Good of all nations & religions, notwithstandg their Delusions, may be bro't together in Paradise on the Xtian System, finding Grace with the all benevolent & adorable Emmanuel who with his expiring breath & in his deepest agonies, prayed for those who knew not what they did." — *Literary Diary*, vol. iii, p. 24.

again in above an hundred years at either node; and at this descending node again, not in 236 years or before A. D. 2004. . . . There were three observers at the same time looking at the sun. . . . I was the first that espied Venus's entrance. . . . At sunset Venus had passed the middle of the transit and sat in the Sun's disk." Among Stiles's assistants at the observation were William Vernon, William Ellery, and William Marchant — a merchant and two lawyers. In this fact there was nothing strange in the Newport of 1769.

It would be interesting to emphasize the catholicity of Stiles by noting the promptitude with which everybody with anything on his mind or in his heart sought him out; from a French fencing-master to the young daughter of Myer Pollock and her Hebrew lover who wished to become Christians. A better way, perhaps, will be by noting the approach which the Newport pastor made to Berkeley in power of prevision. Looking westward, before 1729, the dean had sung: —

"Westward the course of Empire takes its way."

Looking westward in 1770, Ezra Stiles wrote: "[When] English America is fully settled from the Atlantic to the Mississippi, the English of the present idiom may be spoken by one hundred million. . . . Probably the English will become the vernacular tongue of more people than any one tongue ever was on earth except the Chinese."

Toward one only of the great humanities was Stiles in his catholicity indifferent, not to say hostile, and that was music. Herein he but reflected contemporary Newport. Berkeley, on his return to England, had sent an organ to Trinity Church; but none was admitted to any other Newport house of worship, and in fact it was not until 1770 that Providence so far became progressive as to tolerate an instrument. In that year the First Congregational Church of Providence erected an organ of two hundred pipes. This departure King's Church (the Episcopal body) imitated by importing an instrument from Boston — one, as Dr. Stiles sarcastically records, from "Concert Hall where it has been improved in promoting festivity, merriment, effeminacy, luxury and midnight revellings." In 1739 the organist of the Berkeley gift had written: "The Want of Instruments together with the Niggardliness of the People of this Place, and their not having a Taste for Musick, render it impossible for any one of my Profession to get a competent maintenance here; and their Feuds and Animosities are so great concerning their Government, that a Man can take but little Satisfaction in being among them."

But while Newport in the middle eighteenth century was to most things strikingly alive — alive to letters, alive to art, and alive to science[1] — Bos-

[1] "Is it truth, or am I blinded by partiality," wrote Dr. Ben-

ton at the same period was, intellectually considered, in a state bordering on deadness. What for Newport was a golden age, for Boston, and indeed for Massachusetts at large, was an age little short of glacial. In point of pure pedagogics, Massachusetts was altogether in advance of Rhode Island; but until in Massachusetts history there is reached the period just preceding the Revolution, — the period of the Otises and the Adamses, — Massachusetts life, Boston life, was manacled and numbed by theology.[1]

At a time when at Newport and in Narragansett

jamin Waterhouse to Thomas Jefferson on September 14, 1822, "when I say that this small State of Rhode Island has been fertile in events, and by no means destitute of distinguished characters. . . . It was the Redwood Library that rendered reading fashionable throughout the little community of Rh. Island during 70, or 80 years, w^c^ advantage was not then enjoyed in Mass^ts^ New Hampshire or Connecticut. It diffused a knowledge of general and particular history, geography, ethics & poetry & polite literature. . . . It sowed the seeds of that science and rendered the inhabitants of Newport, if not a learned yet a better read, & [more] inquisitive people than any other town in New England." — *Pub. R. I. Hist. Soc.* vol. ii, pp. 175, 176.

[1] "The Magnalia," says Mr. Charles Francis Adams, "stands to-day the one single literary landmark in a century and a half of colonial and provincial life, — a geological relic of a glacial period, — a period which in pure letters produced, so far as Massachusetts was concerned, absolutely nothing else, — not a poem, nor an essay, nor a memoir, nor a work of fancy or fiction of which the world has cared to take note." — *Massachusetts: its Historians and its History*, p. 67.

"The remarkable literary revival of Queen Anne's reign was little observed or felt here [in Boston]." Delano A. Goddard, *Memorial History of Boston*, vol. ii, p. 413.

private libraries (as we are reminded by Mr. William E. Foster) contained books such as the "Faerie Queene," "Hudibras," "Samson Agonistes," the plays of Ben Jonson, Pope's Homer, and the plays of Molière, none of these was to be found in the library of Harvard College, the largest library in the Bay colony. Nor did Harvard possess a line of Addison, Steele, or Swift, writers with whom (through Berkeley) Rhode Islanders were intimately acquainted, and whose works were among those earliest secured for the Redwood collection. Or, to put the matter otherwise, at a time when in Rhode Island religious feeling was not permitted to become tense, in Massachusetts the tension, religiously, was such that men, maddened by the thought of impending perdition, not only carped at Baptist, Quaker, and Episcopalian, but daily groveled before their Maker as before a Moloch. Hours upon their knees did the Mathers, the Sewalls, and the Edwardses wrestle with Jehovah, as wrestled Jacob of old; imploring, beseeching, aye, even demanding of God mercy as promised in his Holy Word.[1]

And the culmination — what was it? Instead of an intellectual renaissance, it was an hysteria, a mania, — the great religious awakening of 1740

[1] On Christmas Day, 1696, Samuel Sewall, as he relates in his interesting diary, made a solemn ceremonial visit to the family tomb, where he rearranged the coffins and found the exercise "an awful yet pleasing Treat." — *5th Mass. Hist. Coll.* vol. v, p. 443.

under Edwards and Whitefield. In certain of the American colonies, as for instance Virginia, the Great Awakening wrought undoubted good. It set man and God, hitherto far apart, face to face. But in Massachusetts it produced excess. Still, for us the noteworthy fact in connection with it is that it failed to react with any power upon Rhode Island. Here, as in North Carolina, the inward serenity of the Quaker, backed by the outward serenity of the churchman, gave it little quarter, and it fell back substantially a broken wave.

The Newport golden age, — the age of the commercial, social, and intellectual preëminence of Rhode Island, — the age which, beginning with the Wantons in the realm of seamanship and trade and with Berkeley in the realm of ideas, counts upon the rosary of its years so many names that are inspiring, passed away with the Revolution. Since the Revolution, Massachusetts (largely under the individualizing influence of Unitarianism) has realized its golden age. To-day, perchance, it is the dream of Massachusetts hardly less than of Rhode Island that

"Time will run back and fetch the age of gold." [1]

[1] In 1891 Mr. Henry Cabot Lodge contributed to the *Century Magazine* for September a paper on the distribution of ability in the United States. According to Mr. Lodge (whose basis of estimate was Appleton's *Encyclopedia of American Biography*), the United States had produced 14,243 persons of more than average talent. Of those Massachusetts was to be credited with 2686 and

Rhode Island with 291. In 1890, by the Federal Census, the population of Massachusetts was 2,238,943, and that of Rhode Island 345,506. In Massachusetts, therefore, the men of ability (up to 1891) had been about one in eighty-four of the total population, and in Rhode Island about one in one hundred and eighteen.

CHAPTER VII

OLD NARRAGANSETT

Huguenot Refugees — English Planters — The Torrey Lawsuit — Dr. James MacSparran — Plantation Life.

THE Narragansett country (called in 1665 the King's Province and in 1686 Rochester) embraced that part of Rhode Island lying west of Narragansett Bay and south of the Warwick line. In 1660 the southwestern corner of this region had been preëmpted by Rhode Island, as against Connecticut, under the name of Misquamicutt, — a name changed in 1669 to Westerly; and in 1677 the northeastern corner had been preëmpted under the name of East Greenwich.

The settlement of East Greenwich derives interest from the case of Dr. Pierre Ayrault and his compatriots.

In 1686 the Atherton Land Company, which, under the mortgage to it in 1660 by the sachems, assumed to control the unoccupied parts of Narragansett, sold to forty-five French families (driven from home by the revocation of the Edict of Nantes) betweeen four and five thousand acres within the limits of East Greenwich. These lands were duly taken into possession and improved.

Moreover, when in 1690 war broke out between England and France, the settlers cheerfully bound themselves to good behavior by an oath of allegiance to the English sovereign. But as time passed the English occupants of lands in the vicinity of the French — lands obtained under grants from the colony of Rhode Island, and which, prior to the coming of the refugees, had been platted into lots and highways — began to assert themselves by seeking to extend the highways through the property of the newcomers. The outcome was trouble to such a degree that in 1692 the entire French settlement, save two families, removed to New York or Boston.

Of the two families that remained, Dr. Ayrault's was one. The doctor had built a substantial house, planted an orchard and a vineyard, and, failing altogether (through unfamiliarity with the English tongue) to comprehend the question of title involved between the Atherton Company and Rhode Island, saw no reason why he should abandon his homestead. He not only did not abandon it, but obstructed such of the highways as were sought to be opened through it. At length, in July, 1700, a warrant of arrest was issued against him by the assistants of the town of Warwick sitting in East Greenwich. He and his son Daniel were dragged with cruel severity before these officials by an excited mob, and forced to give bonds for their appearance for trial. The trial resulted in an order

for the extension of the highways, but the outrages perpetrated upon the Ayrault family were recorded in affidavits, and formed not the least substantial part of the plea against Rhode Island submitted to the Lords of Trade by Dudley in 1705.[1]

Of the many things of interest in the history of Narragansett the Huguenotic settlement and dispersion constitute but one. Others are the rise of a class of large landholders and the contemporaneous rise and spread of Quakerism and Anglicanism.

The settlement of the Narragansett country was effected by land companies, — especially by the Pettiquamscutt Company of 1657 and the Atherton Company of 1659. These companies, along with the Misquamicutt settlers on the Pawcatuck River, controlled between them that great strip, two to four miles wide, which extends westwardly along the bay and seacoast from Wickford, — a strip remarkable for fertility in a region otherwise stony and barren. And not only was the land controlled by companies. The companies were composed of few members, so individual estates were large. Such estates, too, for many years were kept large. They were favored by the English custom and law

[1] A Huguenot prominent in Rhode Island and identified with Newport, Narragansett, and Providence, was Gabriel Bernon. He came from Boston, and, like the Huguenots from Massachusetts to South Carolina, was a stanch friend to the Church of England. He was instrumental in founding Trinity Church, Newport (1699–1700), St. Paul's, Narragansett (1707), and St. John's, Providence (1722).

of primogeniture (not finally abrogated in Rhode Island until 1770) and by a law prohibiting attachment for debt in the case of a resident landowner. Neither Providence, Portsmouth, Warwick, nor Newport was settled exactly as was Narragansett. None of them was settled by a few men of large means, although in this respect Newport more closely resembled Narragansett than did Providence, Portsmouth, or Warwick. The peculiarity of large, not to say enormous, estates in the King's Province was remarked upon in 1670 by Major Mason of Connecticut, who described the holdings as "five, six and ten miles square."

Of the Pettiquamscutt Company the members originally were in part Episcopalian and in part Congregationalist. John Hull, the Boston member, was clearly Congregationalist; Wilbor, Mumford, and Brenton were probably Episcopalian; Arnold, Wilson, and Porter were nondescript. In 1668 the company donated for ministerial support in Pettiquamscutt three hundred acres, specifying that the minister was to be "orthodox," but failing to declare wherein orthodoxy consisted. In 1679 the three-hundred-acre grant for the support of a minister was confirmed; but so completely was it still left in the dark as to what the principles of the minister were to be that in 1692, when the land was being platted, Jahleel Brenton (then a member of the company) advised that no attempt be made to settle the point, but that it be left open

to dispute. Accordingly a very pretty dispute was waged between the Congregationalists under the Rev. Joseph Torrey and the Episcopalians under MacSparran until 1752. In that year the king in council, moved by the fact that Brenton, Wilbor, and Hull all had at some time been members of the First Church of Boston, rendered a decision in favor of Congregationalism as the "orthodoxy" meant to be subsidized in the grant of 1668.[1]

It was the Quakers and Episcopalians who in Narragansett created the religious atmosphere. At the same time it should be borne in mind that in Westerly Quakers and Episcopalians alike were outnumbered by the Seventh Day and other Baptists. The Seventh Day Society was an offshoot from the early Seventh Day Church at Newport, and was organized in 1708. Among the other

[1] In 1695, 1696, and 1702, Samuel Sewall, who was a son-in-law of John Hull, and who succeeded him as a proprietor in Pettiquamscutt, made gifts of land there for school and ministerial purposes as follows: five hundred acres (near Yagoo Pond) for a local school, five hundred acres (adjoining) to Harvard College, and three hundred acres on Tower Hill for a meeting-house. The lands for the support of a local school were sold in 1825, and the income from the proceeds (about $350 a year) is used to support a teacher. The Harvard College land also has been sold, and the income from the proceeds supports two scholarships worth, each, two hundred dollars a year. The ministerial land (of which Sewall was in reality but one of the proprietors) was the tract over which there was waged the lawsuit *Torrey vs. Gardner*. The proceeds of this land (which in 1878 amounted to nearly $6000) are devoted to the support of a Congregational minister in Narragansett. — *Pub. R. I. Hist. Soc.* vol. ii, p. 117.

Baptists were the New Lights, a society which came into existence about 1742 with the Whitefield revival. It served as the medium for so much of the Whitefield influence as found scope in Rhode Island. As determined by conditions purely economic, Narragansett life was favorable to the Episcopalians. That life, too, had the fortune to be blessed, during a considerable part of the eighteenth century, with the ministrations, religiously, of a man who fitted into these conditions with remarkable nicety, — the Rev. James MacSparran. The witty and genial personality of the doctor may well serve as a centre about which to group the life in question.

On arriving in Rhode Island in April, 1721, MacSparran (a Scotch-Irish bachelor and missionary twenty-eight years old) found awaiting him a tasteful church building (St. Paul's) and seven or less communicants. As a first important step the young missionary proceeded (May 22, 1722) to get rid of his bachelorhood by marrying a handsome lass of seventeen summers — Hannah Gardiner. This step at once brought the husband into the select circle of the Gardiners, the Hazards, the Robinsons, and the Updikes; withal it soon increased the number of his communicants. Just who the Gardiners, the Hazards, the Robinsons, and the Updikes were it becomes for us of interest to inquire.

Beginning with the Updikes, these families

were the present owners of the Wickford (Cawcamsqussick) and Boston and Point Judith Neck lands, and they had as landed neighbors the Champlins, the Stantons, and the Babcocks. The lands in question opened upon the old Pequod Path (Post Road) and embraced, per owner, anywhere from two to twelve thousand acres. The Smiths (to whom the Updikes succeeded) were proprietors at one period of a tract nine miles long by three wide; and Thomas Stanton lorded it over a tract measuring four and one half by two miles. Upon such estates the dwelling-houses were large, with gambrel roofs, low beam-traversed ceilings, and of course great fireplaces. Negro slaves were the servants, and quarters for them were provided in the spacious attics or else in a special wing attached to the dwellings after the plan of a Maryland manor. The primary products of a Narragansett farm were sheep and cattle. From these animals there were derived wool, butter, and cheese — the latter a reproduction of the famous Cheshire article, the recipe for which had been brought from England by the wife of Richard Smith. There were produced also horses, the Narragansett pacer, an animal (whether Spanish or native in origin) proverbially easy of gait and so fleet that, according to MacSparran, it could pace a mile in little more than two minutes.

The social customs to which the economic conditions in Narragansett gave rise were, despite the

fact that there was produced no single staple like tobacco, almost exactly those of Virginia. The men were large-hearted, hospitable, and commanding; the women dignified and courteous. As in the Old Dominion, dwellings were widely separated and visiting was made an institution. Taverns hardly existed, for strangers were expected to bring with them letters of introduction, which would admit them to the family and neighborhood circle. With strangers as guests, various were the forms of entertainment resorted to. If the visitor were fond of shooting, the innumerable coverts abounded in partridges and quail. If he were a devotee of the chase, hounds and horns and hunters were at his disposal, with if anything rather a superfluity of walls and ditches to test the sureness of his seat. Berkeley's "Alciphron," which reflects closely the Rhode Island environment of the writer, depicts in the fifth dialogue a fox hunt, with the noise of the opening of hounds, the winding of horns, and the clamoring of country gentry in frocks, short wigs, and jockey boots. Or, if the visiting stranger were a Virginian, as readily he might be (for a similarity of tastes led to an exchange of civilities between the two sections) horse-racing for silver tankards was a favorite pastime.

Nor were the gentry of Narragansett indifferent to the higher forms of pleasure. A good many private libraries existed among them. Daniel Up-

dike, the Kingstown representative in the Newport Philosophical Society, owned Pope's Iliad, the works of Hesiod, Virgil's poems, the "Colloquies of Erasmus," dialogues from Molière, and other books; while Smibert, fresh from the Madonna del Granduca and the glories of all Tuscany, found patrons in Pettiquamscutt as well as in Newport. There were no schools, but the Virginia plan of private tutors obtained, and both young men and damsels were trained with care in polite learning. Dr. MacSparran instructed young men. Peter Simons, a Newport teacher of music and *belles lettres*, instructed young women. Hannah Robinson, the Narragansett beauty of her day, fell madly in love with Simons, — so madly, and withal unfortunately, that a mere historical pen must despair of doing justice to the romance.

In the midst of the life described, James MacSparran (made a Doctor of Sacred Theology by Oxford University in 1737) moved ever, as at first, a leading figure. Before he was forty he had grown portly, — "a full-bodied fat fellow," he calls himself; and in his broad wig he not a little reminds one (as the editor of his diary, Dr. Daniel Goodwin, truly observes) of a clerical Dr. Samuel Johnson. Scotch-Irishman that he was, his tongue was sharp. He said of Rhode Island two memorable things: one, that "liberty of conscience there was carried to an irreligious extreme;" and the other, that "the Rhode Islanders [apropos of their paper

money delusion] were perhaps the only people on earth who had hit on the art of enriching themselves by running in debt." His tartness, and, too, a certain air of superiority which no doubt he carried, led the vigorous Ezra Stiles to brand him in his diary as a "vainglorious, turbulent, haughty, domineering priest." The MacSparran rectory was located on the brow of the hill which to-day bears the name MacSparran, and the outlook from it was (and is) one of the most comprehensive in Rhode Island. To the north and left was Pettiquamscutt Pond, with the mill of Stuart the snuff grinder at the head of it; in front flowed the Pettiquamscutt River; beyond (across the shores of Conanicut) rose the Colony House and spire of Trinity Church, Newport; to the south and right stretched miles of bay and sea line lost in the ultima thule of Block Island.

Like every one about him, MacSparran was a slaveholder, and he occasionally deemed it wholesome to administer the lash. In June, 1745, he notes that he gave "Moroca one or two Lashes for receiving presents from Mingo. I think it was my duty to correct her," he says, and then adds: "W^{t}ever Passion passed between my wife and me on y^{s} occasion Good L^{d} for give it." Hannah MacSparran evidently was possessed of a mind and temper of her own, for elsewhere the doctor alludes to her as "my poor passionate dear."

In subsequent years in Narragansett the tender-

ness of the rector's wife for the maid Moroca was to be justified in the growth toward the negro (under the fostering care of "College Tom" Hazard) of a sentiment so compassionate that slave-holding little by little was undermined. In 1745 small was the thought of such a thing. At that period the very existence of local society seemed to be, and probably was, dependent upon slavery. In contrast with Newport, Narragansett had real work for the negro to perform; and unless performed by him, it is difficult to see by whom it would or could have been. The great farms needed to be manned; and white laborers found on the sea a life too profitable and too full of freedom to be abandoned for dairy tasks.

By 1750, Narragansett, in respect to the number of its slaves and hence in respect to its material prosperity, was at its zenith. It contained within its limits about one thousand negroes — a proportion (in South Kingstown) of one negro to every two or three white men. In Newport the negroes were 1105. Together, therefore, the two localities contained almost exactly two thirds of the negro population of the colony.[1]

[1] On April 14, 1751, Dr. MacSparran preached on Tower Hill a sermon of high admonition before Thomas Carter of Newport who had been condemned to death for the murder (near Pettiquamscutt Pond) of William Jackson, a Virginia trader. Carter was hanged on the 10th of May, and his execution was witnessed by a great throng. So many came from Newport that, it is said, fear was felt there lest the negro slaves, taking advantage of the

The sports of the negro in the sometime King's Province were in the main the dancing and frolics of Virginia; but corn huskings took the place of 'coon and 'possum hunts, and one sport was thoroughly unique — the negro election. It was held on the third Saturday in June in each year, and was conducted for the purpose of choosing a negro town leader called the governor. Electioneering, styled "parmenteering," was rife for weeks in advance, and the result was determined by a count of heads taken after the voters (resplendent in powdered queues and monster cocked-hats and swords) had been drawn up in double rank under the supervision of a grand marshal.

It is now nearly one hundred and fifty years since Old Narragansett began to fade and pass. To-day, as the pedestrian wends his way by the home of Gilbert Stuart, up MacSparran Hill, and back three miles into the country to the site of St. Paul's Church, he finds it hard to convince himself that any life at all, save that of wild creatures, ever pulsated in the solitude about him. Everywhere the paths are invaded and overarched by thickets; the meadows and ponds darkened and made eerie by surrounding woods; the old-time mansions either wholly gone or lapsed into melancholy ruin. St.

absence of their masters, should rise in insurrection. MacSparran's sermon, which covers eighteen pages of print, may be found in the *Narr. Hist. Reg.* vol. i.

Paul's itself — under which in 1757 MacSparran was tenderly laid to rest, and on the site of which his monument now stands — has bodily disappeared (object apparently of aerial witchery), and may only be found by a visit to Wickford. Dr. Edward Channing has suggestively remarked that Old Narragansett even in its own day was anomalous in Rhode Island. Based upon agriculture, the agriculture was not of the ordinary limiting and particularistic sort. It rather was part of that eighteenth century coöperative and commercial movement of which Newport (though less wealthy than South Kingstown) was at once the inlet, the outlet, and the heart.

CHAPTER VIII

GROWTH OF PROVIDENCE: STEPHEN HOPKINS AND MOSES BROWN

The Old Town — Brown University — Polly Olney — Limitation of Slavery — Hopkins-Ward.

PROVIDENCE in the eighteenth century is interesting in a special sense. It began the century as the centre of the agricultural and separatist influences of northern and northwestern Rhode Island. It ended it (or rather the first three quarters of it) as the commercial peer of Newport.

Inordinately slow was the town in taking the first step. Down to 1740 or 1742 it was still, as in the seventeenth century, but a long, straggling street by the water front, where on summer evenings the inhabitants sat in their doorways, smoked their clay pipes, and fought the swarms of mosquitoes that rose from the marsh opposite. The close corporation of (now) one hundred and one proprietors into which the astuteness of William Harris and Thomas Olney had converted the free gift of Roger Williams stood out resolutely against progress as represented by the newer freemen. The town was agricultural, and agricultural the proprietors were determined that it should remain.

As late as July, 1704, it was resolved in town meeting that no more "warehouse lots by the salt water side" should be granted, as the space was needed as a common for the landing of cattle on their return from the Weybosset pastures.

Yet the fact that some lots for warehouses and wharves had been granted (as to Pardon Tillinghast in 1680) shows a commercial tendency; and by 1711 Nathaniel Brown, a Plymouth shipwright forced out of Massachusetts because of his Episcopalianism, began to ply his trade in Weybosset Neck. There was a further sign of progress in the fact that in 1731 the old town or district of Providence Plantations (now with a population of 3916) was divided into the four towns, — Providence, Smithfield, Scituate, and Glocester.

Among the earliest Providence merchants were the Crawfords, Gideon and William. Between 1685 and 1720 they traded largely to the West Indies and were the means of affording the slow-going burghers on the Mooshassuc a glimpse of the great world through a display of wares including periwigs, looking-glasses, bird-cages, flutes, wine-glasses, gold-headed canes, etc. What Providence had to give in exchange for commodities of any sort was chiefly lumber and horses, but its resources were supplemented by those of western Massachusetts. Privateering (after 1739) helped Providence much, and the slave trade (in which the town never was very ardent) helped it a little.

It was with the rise to manhood of the sons of William Hopkins and James Brown that Providence received its greatest impulse. William Hopkins was descended from Thomas, who was at Providence in 1638; and James Brown was the great-grandson of Chad Brown, the associate of Roger Williams. Of the several sons of William Hopkins, one (William) became a celebrated merchant; another (Esek) became commander of the first American fleet; and a third (Stephen) became the greatest statesman of Rhode Island. Of the sons of James Brown — Nicholas, Joseph, John, and Moses — all gained eminence as merchants. By 1760 the family were operating no less than eighty-four sloops, schooners, and brigantines. Each member, too, had severally an avocation — the public service, science, or philanthropy.

Stephen Hopkins was born in the town of Providence [Cranston] on March 7, 1707. He removed to the "compact part of the town" in 1742. Here, as his biographer, Mr. William E. Foster, has pointed out, he won prominence as a man, master, among other things, of the art of evoking public improvements. Commerce, however, engaged his principal thought, and as early as 1746 we hear of "Stephen Hopkins & Co."

It perhaps was about 1757 that Moses Brown, then just twenty years old, began to assume with Stephen Hopkins, his senior by thirty-one years, that place of intimate friend and trusted colleague

which he ever afterwards held. Brown as a boy had been highly observing and alert. He had made it a practice to haunt the wharves of Providence, where casks of molasses were constantly being discharged, with the laudable design of catching the drippings. "What casks are your best?" asked a would-be buyer of an importer on one occasion. "I don't know," the latter replied. "Ask that little molasses-faced Moses; he will tell you." By 1763 Moses was so far a judge of molasses that he was taken into partnership by his brothers. Soon we find him, in connection with Hopkins and such other public-spirited men outside his own family as Daniel Abbott, John Jenckes, Samuel Nightingale, Nicholas Cooke, Darius Sessions, and Jabez Bowen, striving to stir Providence to do something for education.

With Stephen Hopkins knowledge had long been an absorbing pursuit. In 1732 he had begun making trips to Newport, where, gravitating to the Berkeley group as iron to its lode, he had been admitted (along with Daniel Updike of Narragansett and Samuel Johnson of Connecticut) among the out-of-town members of the Philosophical Society. By 1750 he had got together books with which to start in Providence a public library: full sets of Pope, Swift, and Addison; together with sets of Shakespeare, Milton, and Bacon; selections from the Greek and Latin classics; and the standard works of the day on politics, law, and medicine.

By 1762 he with others had established the Providence "Gazette," the early publishers of which were William Goddard and John Carter.

But just now (1763) there was to be taken in Rhode Island a step in the direction of light and learning that for boldness was far to exceed anything of which, as yet, Moses Brown or Stephen Hopkins could have dreamed. Rhode Island College (afterwards Brown University) was to be founded.

As early as 1761 a college after the model of Yale, though less sectarian, had been projected by Dr. Ezra Stiles. Little progress with it had been made, when, in October, 1762, the Philadelphia Baptist Association decided to establish a college in Rhode Island — the point in America where the Baptists wielded most power. Accordingly in 1763 James Manning — a College of New Jersey (Princeton) graduate — set out for Newport. On arriving, he summoned a meeting of Baptist leaders and submitted to them a "rough draft" of a charter for "a seminary of polite literature." The seminary was to be "subject to the government of the Baptists," but was to admit to its boards of control representatives of other religious bodies. Manning went away, and Dr. Stiles as a man of "learning and catholicism" was asked to put the "rough draft" in final form. He did it in such a manner as to divide the control of the proposed

institution between the Baptists and Congregationalists. To the latter he in fact gave a preponderance on the Board of Fellows. The charter, as drawn, was introduced in the lower house of the General Assembly, but on objection, followed by loss of the instrument, failed of passage. In 1764 a new charter, so drawn as to give complete control to the Baptists but allowing representation to the Quakers, Congregationalists, and Episcopalians, was introduced and passed. The Congregationalists, because of their forwardness as displayed in the Stiles charter were accorded one less representative than either the Quakers or Episcopalians.[1]

The charter adopted was broad-minded to an extraordinary degree. The college was denominated "liberal and catholic." No religious tests were ever to be admitted. All offices, except the office of president (which must be filled by a Baptist), and all professorships were to be open to the adherents of any Protestant communion. The public teaching "was to respect the sciences." Sectarian views were not to be taught, but "all religious controversies might be studied freely." Upon this foundation, Stephen Hopkins, in 1764,

[1] As regards Dr. Stiles's own views in this connection, they are set forth in a draft of a letter by him dated August 26, 1768. He says: "We had lately a catholic plan for a college in Rhode Island but it turned out Supremacy & Monopoly in the hands of the Baptists, whose Influence in our Assembly was such that they obtained a most ample charter to their purpose." — *Literary Diary*, vol. i, p. 22, n.; Rider, *Book Notes*, vol. vi, p. 153.

and James Manning, in 1765, were chosen respectively chancellor and president. In 1769, at Warren, where Manning was conducting a grammar school, the first college class (seven in number) was graduated. Among the graduates was James M. Varnum the defender, in 1786, of sound money in *Trevett vs. Weeden*.

The young institution, it is hardly necessary to say, was beset with financial difficulties. Dr. Morgan Edwards of Philadelphia (long remembered as forecasting the day of his death and as surviving that day to his own confusion) was early sent to England to solicit aid, but accomplished little. At this time in Rhode Island, as for seventy-five years thereafter, lotteries were the accepted mode of liquidating hard debts. So President Manning, whose own church had in 1767 been granted the privilege of a lottery, broached to one of his English correspondents a lottery project in aid of the college. The reply which he received was remarkable for the day. "As to raising money by a lottery," runs the letter, "I dislike it from the bottom of my heart. 'T is a scheme dishonorable to the supreme head of all worlds and of every true church. We have our fill of these cursed gambling lotteries in London every year. They are big with ten thousand evils. Let the devil's children have them all to themselves. Let us not touch or taste."

The next thing thought of was to make the college (for which as yet no building had been

secured) an object of competition among the five counties, into which, ere this, Rhode Island had been divided. Between Providence and Newport — the principal centres — the contest was close and sharp. At length, on February 7, 1770, a decision (somewhat constructively reached) was announced in favor of Providence. There, on the old home lot of Chad Brown, the corner-stone of the first building (University Hall) was laid, on March 27, by John Brown, a lineal descendant of the original lot owner. Strong claims had the name "Brown" upon the new institution before Nicholas Brown, Jr., made to it in 1804 a donation of five thousand dollars. Especially strong were these claims in view of the fact that it was no less a person than Moses Brown who, as a member of the General Assembly, first brought forward Providence as a competitor for the college against Newport.

In 1761, when the college question was broached, Stephen Hopkins was fifty-four years old and had been twice married. Moses Brown, his friend, was but twenty-three years old, and as yet had not been married at all. Moses, consequently, was an eligible bachelor; and his connection with a Providence-Boston romance of the day — a romance preserved in old letters among the papers of the Rhode Island Historical Society — will serve to admit us to a glimpse of mid-eighteenth-century philandering.

Brown was a Free Mason. So also was one of his friends — William Palfrey of Boston. Early in 1761 Palfrey visited in Providence, where he was cordially entertained by Brown, and where he met several damsels. Among them was Polly Olney, a daughter of the wealthy innkeeper, Joseph Olney, in whose yard the Providence "liberty tree" was soon to be dedicated. On returning to Boston, Palfrey found that his heart had been lost to Polly, and he concluded to make a clean breast of the fact to his friend Brown, then, as ever, a man notable for discretion. So, on March 26, he wrote asking that his "compliments" be conveyed to "the dear Polly," toward whom he felt altogether more than he was able "to express."

By August 17 complications began to arise. Palfrey had heard that Polly was "being courted" by others; especially by one other — Moses Brown himself. With some spirit he laid the rumor before Brown, professing "thankfulness" that he had "not as yet advanced so far but that he could Retreat with Honour." At the same time, he demanded "the true state of the case by the Return of the Post without fail." It was now Brown's turn to show spirit. He did so by giving a Roland for an Oliver. Disclaiming on his part any designs upon Polly, he plainly told Palfrey that rumor had it that he, Palfrey, was paying his addresses "to a young Lady in Boston," — a course of conduct by which (if it were being practiced) he could but consider both Polly and himself "Very Ungenteely Us'd." In reply Palfrey explained that the young Boston lady in question was a Miss Cazneau with whose brother he was acquainted. The extent of his intimacy with her had been that (and

that only) implied in sometimes taking a walk with her and her sisters, or in occasionally "Carrying her and her sisters with some other Ladies to a play."

There now ensued on the part of Palfrey a silence long and ominous. In fact, he did not again write to Brown until February 20, 1762. What pangs he meanwhile had suffered are then disclosed in detail. He went, it would seem, to Providence in August, 1761, but found Polly gone from home. She was at Newport. In desperation he wrote to her making a full avowal of his passion. He got no reply. He resolved on another journey to Providence, whither he "sett out with Mrs. Eustis who was going there to see the plays" [evidently those noted in chapter v, which led to the suppression of the theatre in Rhode Island], but Polly was still at Newport. Thereupon the much disappointed Palfrey himself went to Newport, where he found Polly, but where "something or other," as he plaintively records, "Continually happened which hindered our being in private." Polly then returned to Providence. Palfrey attended her, but found himself "as bad off as before," because of "the great number of Travellers upon the Road." What was he to do? He contrived, by the aid of Polly's brother "Jo," a neat stratagem. A certain Miss Paget was to invite Polly and himself to her home "in the Evening & take an oppor'y of Leaving us together." "This scheme," he relates, "took." With what result? With the result only that the ardent and laborious Palfrey was coolly rejected by Polly, with the approved admonition "to think no more of her."

So comes to an end the first chapter in this Provi-

dence-Boston love tale of a century and a half ago. The second chapter transfers the characters to Boston.

Palfrey, rejected of Polly, bethought himself straightway of Miss Cazneau. Toward her now his attentions became marked. At this critical juncture — just as "Miss Cazneau" was quietly being substituted for the once "dear Polly" — what should occur but that a long-delayed, and hence unexpected, letter from Moses Brown, dealing with the Polly affair, should fall into the hands of the Boston damsel and be by her ("from Curiosity Natural to her Sex," as Palfrey put it to Brown) opened and read. The escape was narrow. It, however, was an escape, for no harm followed. Soon Palfrey was ready to inform Brown that "Miss Cazneau was a fine young Lady & every way Calculated to render the marriage State agreeable." Polly meanwhile (for of her we are not to lose sight) had taken a journey to Boston.

On April 16, 1762, Palfrey wrote in some excitement to Brown: "Polly is this minute gone out of the Store, having come in with another young Lady to buy some Silks. . . . She did not seem to be quite so much upon the Reserve as usual." On April 27, Palfrey again wrote: "Polly told my friend Flagg Last Evening that she thought it would have looked odd for a young Lady to say Yes so soon and that if there was any misunderstanding between us she was very sorry for it." Alas, Polly! Palfrey, to his honor be it said, adhered to his engagement to Miss Cazneau, merely remarking to Brown his confidant: "I am sorry I was not acquainted with her [Polly's] temper and disposition before, as it would have prevented all that has happened."

The third chapter in our love tale consists of a single item in the columns of the Providence "Gazette." On August 25, 1764, there was published the following: "Tuesday evening last, Mr. Thomas Greene of Boston, merchant, was married to Miss Polly Olney of this town, a young lady who has real merit, added to a beautiful person, to grace the connubial state and perpetuate its felicity." After all it was not in vain that Polly had journeyed to Boston.

The year 1764 — that of Polly's marriage — was also the year of the marriage of Moses Brown. He took to wife his cousin Anna. Thenceforth business claimed him until 1773, when he retired and devoted himself to securing the abolition of slavery in Rhode Island and the curtailment of the slave trade. Anna Brown died in February, 1773, and one day her husband, speaking of his bereavement to a friend, said: "I saw my slaves with my spiritual eyes as plainly as I see thee now, and it was given me as clearly to understand that the sacrifice that was called for of my hand was to give them their liberty." In December he manumitted ten slaves.

Next to Brown the individual chiefly concerned in securing effective action against slavery in Rhode Island was Stephen Hopkins. In 1774 the General Assembly passed an act prohibiting the importation of slaves into Rhode Island. To this act Hopkins dictated the preamble, which recited that "those who are desirous of enjoying all the advan-

tages of liberty themselves should be willing to extend personal liberty to others." Yet Hopkins, despite his preamble, was a slave owner; one, moreover, that had withstood admonition from the Quakers, a society to which, since 1755, he had himself belonged. Something led him to promote the Act of 1774; what was it? Presumably it was the course of the Providence town meeting. In May the town had resolved that "it is unbecoming the character of freemen to enslave . . . negroes." The deputies of the town, of whom Hopkins was one, had then been "directed to use their endeavors to obtain an act prohibiting the importation of negroes into this colony and providing that all negroes born in the colony are to be free after attaining a certain age."

The influences (interblending and cumulative) to which the conversion of Moses Brown on the slavery question is to be attributed, and to which also is to be attributed the conversion (or rather re-conversion) on the same question of the Providence town meeting, were at least four: The letters and exhortations of the Quakers, the sermons and pastoral ministrations of the Church of England; the preaching of Dr. Samuel Hopkins; and the unprofitableness in Rhode Island (outside of Narragansett) of slavery itself.

The earliest influence was exerted by the Quakers. It was perceptible in 1729, and by 1748 (through the efforts of John Woolman) was strongly felt.

It culminated in 1770 with the condemnation by the Rhode Island Yearly Meeting of ownership of any negro "of an age, capacity, and ability suitable for freedom." Participation by the Church of England in the local anti-slavery movement was effective though indirect. Berkeley, Honyman, MacSparran, and the Rev. John Usher of Bristol, all, between 1730 and 1743, sought by catechetical exercises to awaken the consciences of the slaves and to lead them to baptism and communion. These efforts were supplemented by the Rev. Marmaduke Brown, — a successor to Honyman, — who in 1763, at Newport, opened a school for the instruction of negroes; and by Mrs. Mary Brett, — widow of Dr. John Brett, — who in the same town opened a similar school ten years later.

If the anti-slavery efforts of the Episcopalians were indirect, such were not the efforts of Samuel Hopkins. The doctor, stanch Puritan that he was, gathered headway slowly; but when in full career about 1770 he came little short of the mark set later by the illustrious company of Massachusetts abolitionists. His church contained many slaveholders and slave traders, but the doctor spake right on. He said: "Newport has been built up and has flourished . . . at the expense of the blood, the liberty and happiness of the poor Africans." Nor did he labor altogether in vain. At length his church was brought to resolve, that "the slave trade and the slavery of Africans, as it has existed

among us, is a gross violation of the righteousness and benevolence which are so much inculcated in the gospel, and therefore we will not tolerate it in this church." [1]

Indeed to such lengths did Hopkins go that in 1773 he tried to persuade Dr. Stiles to join with him in sending back to Africa, as missionaries, two of his colored communicants — Quamine and Yamma. And here an amusing element enters. Stiles began fearsomely to suspect that the real object of his brother minister in seeking to send out these men was the "Christianizing of the Africans on Principles to his Mind" — on principles not so much evangelical as Edwardsian and Hopkinsian. Nothing, unless it were an allegory on the banks of the Nile, could be more ineffectively headstrong than the Edwards-Hopkins theology on the coast of Guinea, and that the broad-minded Ezra Stiles failed to perceive it argues him as sadly deficient in a sense of humor as was good John Winthrop himself.

Of the four influences at work in Rhode Island against slavery, the influence which most of all

[1] In Mr. F. B. Sanborn's *Life and Letters of John Brown of Osawatomie*, 1881, there is printed a statement made by Owen Brown, father of John, as to what led him to embrace Abolitionism. "The Rev. Samuel Hopkins of Newport, Rhode Island," said the father, "came to visit the Rev. Jeremiah Hallock, with whom I lived, and I heard him talking with Mr. Hallock about slavery in Rhode Island, which he denounced as a great sin. From this time I was anti-slavery."

must be regarded as a determining one was the unprofitableness of the institution. Of the truth of this assertion the law of 1774 itself is proof. That law forbade the importation of slaves into Rhode Island, but it took noteworthy pains to protect and even encourage slave importations by Rhode Islanders into the West Indies, — the place chiefly where a handsome profit upon such merchandise was yet to be expected.

The course of the Narragansett Bay commonwealth in relation to negro slavery is not, upon the whole, one that invites applause; yet neither is it one from which there should be withheld all commendation. The General Assembly did not declare for emancipation till 1784, nor against participation in the foreign slave trade till 1787; but in 1788 it was agitation by Rhode Island Quakers (an agitation reinforced by the action of the General Assembly) that led to legislation in Connecticut and Massachusetts; and of all the States that between 1787 and 1790 deliberated upon the Federal Constitution, Rhode Island alone (by a majority of one in its convention) proposed an amendment directing Congress to "promote and establish such laws and regulations as may effectually prevent the importation of slaves of every description into the United States." That the commonwealth did not do more against African bondage than it did, and that it did not do it earlier, is no small indication of the extent to which the individualism of the

seventeenth century — an individualism capable of originating the famous anti-slavery law of 1652 — had been encroached upon by the commercialism of the eighteenth.

But go back a little. By 1750 Providence had grown greatly in wealth and importance. Its population now, after the separation from it of Smithfield, Scituate, and Glocester, was nearly 3500. It was become a standing challenge to the political as well as the commercial supremacy of Newport. Just where and when, had it not been for Stephen Hopkins, this attitude of challenge would have found a champion, it is impossible to tell. As it was, the championship fell naturally, and at once, to Hopkins himself. The latter, since his abandonment of rural life in 1742, had (up to 1751) filled the positions of justice of the Providence Court of Common Pleas, member of the eastern boundary commission, speaker of the General Assembly, commissioner to the Colonial Congress of 1746, member of the northern boundary commission,[1]

[1] By both the Massachusetts charters, that of 1628 and that of 1691, the southern boundary of Massachusetts was fixed at "three English miles on the south part of Charles River or of any part thereof." In 1642 Massachusetts laid down the line but in so doing placed it "seven miles and fifty-six poles" south of the Charles River. In 1719 Rhode Island, in ignorance of the error in the Massachusetts survey, accepted the line as laid down. In 1769, upon petition of Moses Brown, correction was sought by the Rhode Island Assembly, and Brown and Stephen Hopkins were made members of a northern boundary commission. The

and justice and chief justice of the Superior Court. Still further was he to minister to the aspirations of Providence by entering, in 1755, upon a successful contest for the governorship.

First, however, there met the famous Albany Congress, — that of 1754, — and to it Hopkins was sent as a delegate. Beginning with 1684 there had been held in English America nine several congresses anent the French and Indians, and Rhode Island had kept aloof from most of them. We have seen in chapter iii, how, in 1693, a certain Albany Congress and its requirements were ingeniously evaded; and in 1722 the colony met a plea from Massachusetts for help against the eastern Indians by asking: "Who knows but that his Majesty in his great wisdom may find out and prescribe ways to make these wild and inaccessible subjects of his come in and tamely submit to his government without the melancholy prospect we now have of shedding much blood?" When, therefore, Hopkins not merely attended the Congress of 1754, but, along with his colleague, Martin Howard, Jr., of Newport, voted in its sessions for Franklin's plan of colonial union, with its President-General to be appointed by the crown and its Grand Council of Representatives to be chosen on the basis of population, Rhode Island was a good deal stirred.

matter was not then disposed of but recurred in 1791, and later. In 1847–48 a "conventional line" was established, and in 1883 this line was made the legal boundary.

It was in the face of no little detraction that in May, 1755, Stephen Hopkins was duly elected governor in the stead of Greene. With the election referred to, the spell of a practically uninterrupted succession of Newport gubernatorial magistrates was broken. In 1727 a Providence man, Joseph Jenckes, had been chosen governor, but upon election he had found it advisable to remove to Newport. Greene himself, though from Warwick, was one with Newport in interest and sympathy. Hopkins was like neither Jenckes nor Greene. He was the representative — the champion in fact — of Providence in a long pending and now irrepressible conflict between the new and the old. The case was one not of country against town, as in the contest over paper money, but rather (for still another time) of upstart democratic Florence against staid aristocratic Pisa; and the bitterness engendered (the bitterness of jealousy) was largely without rational foundation.

Newport sent forth into the lists, as its representative, Samuel Ward, — a young man of parts and education, son of Governor Richard Ward, and owner of a large estate at Westerly in the Narragansett country. In 1757 Samuel Ward aided in defeating Governor Hopkins for reëlection, and at the same time subjected himself to a suit for libel. Thenceforth, until 1768, Rhode Island politics were little else than an annual propounding and answering of one question: Shall Stephen Hopkins or

Samuel Ward be governor of the colony? in other words, shall Newport or Providence — the rising North or the risen South — wield a preponderant local influence? In England it still was the day politically of Sir Robert Walpole, — the day of bribery elevated into an art, — and neither Hopkins nor Ward scrupled to pay to the example of the dead premier the sincere tribute of imitation. A large purchasable vote would seem to have been found in King's County, for the efforts put forth to carry that county have been described as commensurate relatively with those later put forth, in a different field, "to carry Indiana." Of course the animosity aroused by political warfare of the kind described — like that of the tribal feud — was implacable; and when, in 1768, an arrangement was at length concluded by which Hopkins and Ward each yielded his pretensions to first place, it was cause for hearty rejoicing. The ten years of Hopkins against Ward may be taken to have thoroughly demonstrated the weight and growing importance of Providence. During the entire period Ward — in every way a fit counterpoise to Hopkins[1] — obtained the governorship but three times.

[1] "I well knew Gov. Hopkins. He was a man of a penetrating astutious Genius, full of Subtlety, deep Cunning, intriguing and enterprizing. He read much esp^{y} in History & Government; & by read^{g} Conoversa & Observa acquired a great Fund of political Knowledge. He was rather a Quaker, hav^{g} a seat in the meeting, but it has been said these thirty years by his most

intimate Acquainta that he was a Deist, and of this I made no doubt from my own frequent Conversa with him. He was a man of a noble fortitude & Resolution. He was a glorious Patriot! — [but Jesus will say unto him *I know you not*]." — Stiles, *Literary Diary*, vol. iii, p. 172.

CHAPTER IX

CONSTITUTIONAL DEVELOPMENT

Soul Liberty — The Suffrage — The Function of Legislation — Legislature-Judiciary.

In both the seventeenth and eighteenth centuries the main feature of Rhode Island constitutional development was distrust of delegated power. In the seventeenth century distrust showed itself in the political system. Local communities — the towns — were independent to a great degree of the central authority to which nominally they were subordinate. In the eighteenth century — after town subordination had been effected — distrust was shown in the administrative system. Executive and judicial departments were kept subject to the immediate will of the freemen through an omnipotent legislature semiannually renewed.

But first a word apropos of Soul Liberty, the suffrage, and the exercise of the function of legislation in eighteenth century Rhode Island.

I

At Newport, upon one occasion after 1700, the Jews were accorded illiberal treatment. In 1762 Aaron Lopez and Isaac Elizar applied for natu-

ralization under the English statute the 13th of George II, and were denied by the Superior Court on two grounds: on the ground, first (divertingly transparent), that the colony was already "so full of people that many of his Majesty's good subjects, born within the same, have removed and settled in Nova Scotia;"[1] on the ground, second, that by the charter "the propagating of the Christian religion" was one of the chief ends of the founding of Rhode Island, and that the General Assembly, in 1663, had enacted that "no person who does not profess the Christian religion can be admitted free of this colony."[2]

It is with difficulty that one can be persuaded that words such as these were ever uttered by the highest judicial body in the commonwealth

[1] The Nova Scotia movement is described in detail by Mr. R. G. Huling in the *Narr. Hist. Reg.* vol. vii. A good many were concerned in it — over one hundred persons. If the colony was crowded (its total population in 1762 did not exceed 43,000 souls), the removal of the Nova Scotia contingent certainly made room enough for a few families of Hebrews.

[2] The statement that the colony in 1663 had passed a law restricting the freemanship or elective franchise to Christians was presumably based upon the fact that the Charter of 1663 (after the style of royal charters of the day) abounded in expressions of pious regard for the furtherance of the Christian religion. Such expressions possibly may have been understood by some as carrying the force of legislation. Between the Patent of 1644 (which was displaced by the Charter of 1663) and the charter itself, the difference in respect to pious ascriptions and avowals is marked. In the patent there is no allusion to Christ or Christianity, and only a passing allusion to the Deity.

established by Roger Williams, — a commonwealth where "a permission of the most Paganish, Jewish, Turkish, and Antichristian consciences and worships" was, under no circumstances, to be abridged.

Is it, indeed (we are led to ask), true as averred by the court that in 1663 Rhode Island passed an act limiting the freemanship to Christians? It is not true that such an act was passed in 1663, or that such an act ever was passed in the usual mode and upon debate. It is true that in 1719 an act of the year 1665 was so modified by the interpolation of words, "professing Christianity," as to read: "All men professing Christianity, . . . though of different judgments in religion, . . . shall be admitted freemen," etc. The act as modified had its origin with a revising committee of the General Assembly. It appeared first in the digest of 1719, — a digest that so far as known never was adopted by the Assembly. By subsequent revising committees it was permitted to pass into the digests of 1730, 1744, and 1767, which were adopted.

The court, therefore, illiberal though it were in denying freemanship to Lopez and Elizar, must be allowed the benefit of the plea that it was within an act of the colony; an act repugnant to the statute of George II, but one which the court nevertheless may not have felt itself at liberty to disregard.

There is yet a further phase to the act of 1665.

Not only was it radically modified by the interpolation of the words, "professing Christianity;" it was modified still more radically by the interpolation of the words, "Roman Catholics only excepted." In Rhode Island after 1730 not only were none but Christians eligible by local law to the freemanship, but of Christians themselves only a certain sort were eligible, namely, such as were not Roman Catholics. In the case of the Catholics, however, if not in that of the Jews, the local law was purely a dead letter. To furnish an example: Stephen Decatur, a Catholic and a Genoese, — the grandfather of the illustrious commodore of that name, — was made a freeman in 1735.

It was not until 1783 that the altogether un-Rhode Island-like statute in question was abrogated. But despite this fact one thing may be said of it. The feeling that inspired it was confined to so few that had the law not found its way into the statute book in the covert way that it did, it probably never would have found its way there at all. A colony which had not hesitated to withstand as contrary to its charter the command of the crown to subject its militia to the control of Sir William Phips; a colony, moreover, which in 1735 had empowered its Superior Court to restrain by injunction his Majesty's Court of Admiralty; such a colony would in the first instance hardly have hesitated to reject as contrary to its charter a proposition by which it was to be cut off, through the most

odious of tests (a religious one), from ever electing to the smallest office, or even permitting to cast a single vote, a Jew like Lopez, a Catholic like Decatur, or any one of the Deistical thinkers in which it abounded and had abounded from the days of the English Commonwealth.[1]

Concerning the suffrage in Rhode Island, two observations by distinguished Rhode Islanders of the past (Mr. Henry C. Dorr and Mr. Samuel G. Arnold) will furnish us with what probably is the clue to it. Says Mr. Dorr: "Solvency has at all times held the same place in Rhode Island which

[1] While neither Mr. S. G. Arnold nor Mr. S. S. Rider expresses approval of the interpolation which burdened the laws of Rhode Island with a religious test for the freemanship, both writers offer a plea in extenuation. They say (*Hist. R. I.* vol. ii, p. 494; *Hist. Tract* (2d ser.) *No. 1*): Neither Jews, Catholics, nor any other communion had ever been guaranteed political privileges by Rhode Island, so when denied such privileges there they could not logically complain. But in this plea there would seem to be lost to view what the Rhode Island idea, as a working doctrine, really was. According to that idea no man, however much he might be discriminated against for other causes, ought to be discriminated against merely for cause of religion. Had the colony in the seventeenth century assumed ground different from this, it would have puzzled seekers after Soul Liberty to distinguish between what was offered them in Rhode Island and what, for instance, was offered them in the proprietary and royal province of North Carolina, where Soul Liberty (including the privilege of voting) was to be obtained for a price, for the yielding up of money in the form of a tax. The circumstance that in Rhode Island the anti-Jewish and anti-Catholic statute was systematically ignored, shows that instinctively the people realized the incompatibility between it and the Rhode Island idea.

Puritan orthodoxy once held in Massachusetts;" therefore (to pass now to Mr. Arnold), "the colony was a close corporation and has ever remained so." In other words: while Plymouth, Massachusetts, Connecticut, and New Haven were each a close corporation from religious motives, Rhode Island was such from the highly secular motive of acquisitiveness.

To this conclusion ample support is lent by the facts.

Massachusetts throughout the entire period of its first charter (1628–1684) kept religion foremost as the touchstone for the freemanship or right to vote. At the time of the adoption of the Cambridge Platform (1648), "orthodoxy in eighty-nine [two] different articles" (according to Mr. John A. Doyle) was needful for the franchise. Even upon the demand of the royal commissioners for a pure property qualification in 1664, the law was so contrived that, as the commissioners said, "he that is a church-member, though he be a servant and pay not two pence, may be a freeman." It was not until the conversion of Massachusetts into a royal province in 1691 that a pure property qualification — a freehold worth £2 a year or personalty worth £40 — brought with it the franchise. New Haven, too, never based the freemanship on property; while, as for Plymouth and Connecticut, both (as Professor Herbert L. Osgood has recently shown) made religion the practical, if not uniformly the statutory, test.

In Rhode Island it was otherwise. There, at the outset (under town rule), the freeman was the freeholder.[1] It is true that in 1665, in connection with the visit of the royal commissioners, an act was passed providing for the admission of colony freemen upon proof of their being merely "of competent estates;" but this act was deemed by Rhode Islanders at once too undiscriminating and too centralistic. In 1724 a law went into effect by which the colony fixed the property qualification for colony freemen at £100 freehold (approximately $134), or at £2 freehold income, yet gave back into local hands (the towns) something of their original power over the colony franchise. Persons who had been made free of a town, even though

[1] "Landholding was closely associated with the right to exercise the franchise. Providence, on May 15, 1658, 'Ordered yt all those that injoy land in ye jurisdiction of this Towne are freemen.'" — George G. Wilson, "The Political Development of the Towns," Field's *R. I. at the End of the Century*, vol. iii, chap. i. See also H. K. Stokes, "The Finances and Administration of Providence," *J. H. U. Studies*, extra vol. xxv, p. 33 and n.

"That rule [democracy] was perfectly consistent, at the foundation of the State, and long after, with a landed qualification. It was then in this State, as it is now in our newly settled western States; — he who did not own land owned nothing. . . . But the condition of things has changed," etc. — Thomas W. Dorr, *Address to the People of Rhode Island*, 1834.

"There was no need [in 1665] of formally requiring the ownership of real estate as a qualification for the franchise, for at that period nearly all the permanent inhabitants of Rhode Island were freeholders." — Francis Bowen, "The Recent Contest in Rhode Island," *North Am. Rev.* vol. lviii.

they had not been made free of the colony, were permitted to vote for deputies to the General Assembly. At the same time, by an adaptation from the waning custom of primogeniture, the eldest son of a freeman was permitted to vote in right of the freehold of his father.[1]

Upon these two acts — the act expressly attaching the suffrage to the freehold yet reserving the selection of the particular suffragist to the local unit or town, and the act enfranchising a freeman's eldest son (both of them the acts not only of a close corporation but of one based upon Mr. Dorr's principle of solvency or acquisition) — there hung in Rhode Island, until late in the nineteenth century, all of the law and the prophets in respect to voting.

With regard now to the exercise of the legislative function. By the Rhode Island charter the deputies or immediate representatives of the people were, as will be remembered, a locally chosen body composed of six from Newport, four from Providence, Portsmouth, and Warwick, and two from each town additional. The assistants, or council, on the other hand, were an unvarying body of ten chosen by general vote. In 1696 the deputies and assistants became permanently separated into distinct branches. In 1722 the town of Kingstown

[1] In England the heir apparent of a peer, or of a freeman, was allowed to vote. — Statutes of Anne, chap. v; 3d George II, chap. xv.

was divided into the towns of North Kingstown and South Kingstown, and to each there was allowed an assistant or member of the upper branch of the Assembly. By this act, which made the number of towns equal to the number of assistants (ten), there was established a precedent for the practice of introducing a member into the house of assistants for each new town organized, and so virtually of converting the Rhode Island upper house into what it is to-day — a body of representatives more intensely local than the house of deputies.

II.

The dominance in Rhode Island of the legislature over the executive and judiciary — a dominance at present as great as ever in the case of the executive, and only in 1860 finally gotten rid of in the case of the judiciary — was at its height in the eighteenth century.

In none of the New England colonies was the governor by and of himself a chief executive. This function was reserved to the governor and assistants. When, therefore, in 1731 Governor Jenckes raised the question of the right of veto as pertaining to his position, it was easy for the crown, by a citation of the colonial charter, to answer him. Only royal governors might veto; not even a John Winthrop or a John Endicott could do it, governors as they were purely by grace of charter. So

Rhode Island was not peculiar in that during its nonage its governor was largely a figurehead. What perhaps is peculiar is that Rhode Island as a State should, along with Delaware, North Carolina, and Ohio, have withheld from its governor the veto power. The peculiarity, though, disappears when it is remembered that by means of such power the immediate will of the town freemen (as, for instance, on a question like that of paper money) might be given a check.

But while the governor as against the General Assembly was (and still is) helpless, it was different with the judiciary. In Rhode Island, as in the rest of New England, the principal early judicial body was the Court of Assistants, or General Court of Trials, consisting of the assistants themselves (to the number of not less than six) reinforced by the governor and deputy-governor. This court under the Charter of 1663 exercised jurisdiction both appellate and original; but its action was subject to review by the General Assembly, called also the General Court of the colony. The ground of the right of review claimed and exercised by the Assembly was set forth substantially under the first charter. In 1647 it was enacted that "in case a man sues for justice and he cannot be heard, or is heard and cannot be righted by any Law extant among us, then shall the partie grieved petition to the Generall or Law making Assemblie, and shall be relieved." What here the Assembly asserted

was not the competency of a court of law but a general competency to do justice — a chancery competency; accordingly when in later days matters were brought before it from the courts, they were spoken of as brought to be "chancerized." At first, too, the distinction was more or less regarded, for in 1678 the Assembly expressed impatience at an appeal which it was asked to entertain. By 1680, however, its appellate duty, as well as authority, was formally recognized.

Nor in all this did Rhode Island act very differently from Massachusetts or Connecticut. In both of these colonies the General Assembly entertained appeals and served as a court of chancery; though in Massachusetts the practice ceased with the seventeenth century, and in Connecticut with the second decade of the nineteenth. The longer continuance of the practice in Rhode Island, coupled with the bitter struggle waged there between legislature and judiciary, makes evident the more intense distrust of delegated power felt in the Roger Williams colony.

The four legislative acts to which were due the existence of a Rhode Island judiciary separate and distinct from the upper house of the legislature were those of 1703, 1729, 1741, and 1747; and the earliest and latest of them were attended by the creation of counties, an indication of how purely a contrivance for judicial purposes the Rhode Island county is. The Act of 1703 divided the colony into

two counties — the county of Providence (the mainland) and that of Rhode Island (the islands), and provided for two civil courts (inferior courts of common pleas) in each. The Act of 1729 provided for a criminal court (a court of general sessions of the peace) in each county, and changed the name of the Court of Trials to that of Superior Court of Judicature. The Act of 1741 created an equity court of five judges to hear appeals in lieu of the General Assembly, but this act was repealed in 1743. In 1747 (when, in connection with the settlement of the eastern boundary with Massachusetts, the county of Bristol was created) the courts of common pleas were reorganized, and the Superior Court was made to consist, with enlarged powers, of one chief justice and four associates annually to be chosen by the General Assembly. Complete formal separation of judiciary from legislature had thus by 1747 been secured. Still, in 1780, it was found expedient to enact that no member of either branch of the General Assembly should be eligible to the office of justice of the Superior Court.

The extreme jealousy of judicial power felt by Rhode Islanders before the final establishment among them of the Superior Court of Judicature was not soon modified. In 1708 an appellee, grieved at the action of the General Assembly in a particular case, had appealed to the crown, and the queen in council had sustained the appeal, refusing to sanction the exercise of chancery power by a

legislative body. Upon this the wily assembly had merely provided for a procedure before it by "petition," and had continued to entertain appeals as aforetime. Such appeals after 1747, despite the enlarged jurisdiction of the Superior Court, the Assembly still welcomed. It also seemingly encouraged a practice by which three jury trials of the same issue might be obtained: one to secure a verdict; another to secure a different verdict; and a third to secure a verdict in confirmation of one of the other two; all, moreover, as mayhap but preliminary to a prayer for legislative interposition.

In yet two other ways did Rhode Islanders of the eighteenth century manifest their distrust of a separate judiciary: by permitting the appointment of very few lawyers to positions upon the bench (albeit among the appointees are some illustrious names — Hopkins, Ward, Ellery, Howell) and by arrogating to themselves, through the General Assembly, the power not merely of commuting sentences but of entirely abrogating them. A striking instance of abrogation is that in which the privateersman Simeon Potter, who had retired to Bristol in 1750, was in 1761 cleared of a conviction and heavy fine meted out to him for assaulting the Rev. John Usher.

Slow was the development of Rhode Island judicial power, but development nevertheless there was. In 1768 the Superior Court (in *Randall vs. Robinson*) took sharp issue with the legislature, and in

1786 (in *Trevett vs. Weeden*) it maintained resolutely the responsibility of its members to God alone for their conscientious judgments.

From a point of view distinctively economic and social, the eighteenth century in Rhode Island was a period of coöperation due to commerce. From a point of view distinctively political and constitutional, it was, as the present chapter has shown, a period marked by the old particularism. One influence may be noted (constitutional as well as economic) which made for coöperation, and that was the influence arising from the incorporation with the commonwealth in 1747 of the Plymouth-Massachusetts towns. "When," says Mr. William E. Foster, speaking of Cumberland, Warren, Bristol, Tiverton, and Little Compton, "the stress of British hostilities, of [post-Revolutionary] paper money madness, and of opposition to the constitution, called for the best energies, and the best intelligence of Rhode Island men, no towns were more steadfast in the defense of correct principles than these."

NOTE by Dr. Frank G. Bates on local government in Rhode Island: —

The Rhode Island town to-day conforms externally to the New England type, but is socially less firmly knitted than elsewhere in New England.

The process of town formation, even at first, was scarcely organic. No new centre was deliberately selected. There was no village green, no common meeting-house or school, no dominant

ecclesiastical bond, nothing about which society could organize. When towns of large area were subdivided, there being no centres, it was done by a purely arbitrary process, more suggestive in its somewhat rectangular product of New York or the Middle West than of New England.

The result of such a course of development has been a lack of common interests, of common action, and of civic pride. In spite of unfavorable environment instances have occurred where chance centres have sought but failed to give expression by the formation of a new town to an acquired sense of unity.

Though population has become dense, town subdivision is the exception; towns have long deferred becoming cities; and no intermediate form exists, save a rudimentary organization called a "fire district." This institution of narrow powers recalls conditions in England before the recent reforms in local government.

From the beginning the town councils exercised probate jurisdiction. A recent attempt to transfer this power to circuit judges of probate chosen by the General Assembly has been defeated by the rural vote, as an invasion of local privilege.

PART III

UNIFICATION AND MANUFACTURES

1764–1905

CHAPTER X

PORTENTS OF REVOLUTION

Causes of Resistance — Affair of the Gaspee — Loyalism at Newport — Creation of a United States Navy.

By slow degrees two convictions have gained the minds of writers of American history: one, that the American Revolution was not the outcome of causes suddenly arising at the close of the Seven Years' War, — causes converting into rebels a people hitherto fundamentally loyal and content; the other, that the causes of the Revolution, whatever they were, varied considerably with the locality.

In the case of Massachusetts, the leading cause of revolt was Puritanism itself with its inbred fear of curtailment and even of ultimate suppression at the hands of the established church. A strong secondary cause was the renewal and enforcement, in and after 1764, of the Sugar Act of 1733. In the case of Virginia and South Carolina, alienation matured step by step out of the assertion and counter assertion, on the part alike of popular assembly and royal governor, of many sorts of "rights."

But to say these things is to say naught else than that the American colonies (both northern and

southern) had from the first resented almost every kind of interposition by the mother country, and, finally, were brought to rebellion because of such interposition. What form the interposition took mattered little. Orders and measures salutary and constitutional — such as those suppressing piracy and paper money and providing for appeals to the king in council, or such as the Navigation Act of the 14th of Charles II, which actually stimulated New England ship-building — were abhorred equally with measures like the Sugar Act and the Stamp Act, which, whether constitutional or not, were blundering. As Adam Smith put the matter with regard to the Acts of Trade: "These measures (barring the Sugar Act), while not cramping American industry, or restraining it from any employment to which it would have gone of its own accord, are impertinent badges of slavery." It was the "impertinence" of unacceptable interposition that led at length to hostilities.

But how had this interposition been shown toward Rhode Island? What, there, had the English government all along been doing, which, because of its "impertinence" (real and so-called), gave rise to the spirit of resistance?

Down to the days of the *quo warranto* against its charter (1686), Rhode Island had had no quarrel with the crown, and for a threefold reason: because, in its long contest with Massachusetts and Connecticut it had had only the crown to look to

for support; because, having no state religion it had put no affront upon Episcopalians, Baptists, or Quakers; and because, having no royal governor its acts and temper had never much been inquired into. Indeed, so loyal and obedient to the crown had the colony always proved to be, that, upon the return of the king's commissioners in 1666, it had been especially named and commended by Charles II as an example to the rest of New England. Nor did this loyalty and obedience suffer diminution from the *quo warranto* itself. Upon the issuing of the writ, the General Assembly at once resolved "not to stand suit with his Majesty" — a resolution happy in its effect, for when Sir Edmund Andros in the discharge of his duty found it incumbent upon him to ask for the actual surrender of the charter, he did so in words that broached on regret.

Rhode Island's troubles began with the determined efforts against piracy put forth under Bellomont in 1699; were continued by the executive and Parliamentary measures against paper money taken between 1720 and 1751; were heightened by the passage of the Sugar Act in 1733; were still further heightened by an attempt of the crown to control the naval office at Newport in 1743; and were brought to a climax by the renewal of the Sugar Act and proposal of a Stamp Act in 1764. These, in short, were the items of unacceptable, and hence of "impertinent," interposition

which gave rise to the spirit of resistance in Rhode Island.

On October 11, 1763, the Lords of Trade wrote to the governor of Rhode Island that it was his Majesty's command that he "make the suppression of the clandestine trade with foreign nations and the improvement of the revenue the constant and immediate object of his care." On October 22, Admiral Colvill wrote from Halifax that he had thought it necessary, "for the encouragement of fair trade by the prevention of smuggling, to station his Majesty's ship the Squirrel for the approaching winter at Newport." Thus confronted, it behooved the colony to take action promptly if it meant to do so at all, and in January, 1764, Governor Stephen Hopkins, responding to a resolution by the General Assembly, forwarded to Joseph Sherwood, agent for Rhode Island in London since 1759 (the year of the death of faithful Richard Partridge), a letter stoutly protesting against the renewal of the Sugar Act on the ground taken in 1733 by Partridge himself.

Hardly had this letter been dispatched when (March, 1764) George Grenville introduced in Parliament a resolution looking toward a stamp tax to be levied in America. News was officially furnished to Rhode Island in August, and in October the General Assembly appointed a committee of seven, headed by the governor, to prepare an address to the king. In November the committee

reported an address and also a paper composed by Stephen Hopkins, entitled "The Rights of Colonies Examined." Both papers were ordered to be sent to Sherwood: the first for presentation to his Majesty, and the second to be put in print and so made of use to all the colonies.

The pamphlet by Hopkins proved to be by no means an ordinary performance. It was philosophical but not too much so; it was scholarly; it was strong; it was dignified. In a word, it was quite the utterance which a man ambitious of the best in letters and bred in the traditions of Berkeley might be expected to put forth. Its main point — one suggested by the impending Stamp Act — was that the direct taxation of an unconsenting people was tyrannous and un-English, and hence unconstitutional. For the point there was, in a sense, old Rhode Island authority. It will not have been forgotten that in 1733 Richard Partridge had written to Governor William Wanton: "The levying a Subsidy upon a Free People without their knowledge agst: their consent, who have the libertys and Immunitys granted them of Natural Born Subjects — a people who have no Representatives in the State here — . . . is as I apprehend a violation of the Right of the Subject." This, too, was the point on which stress had been laid in pamphlets which James Otis and Oxenbridge Thacher had published in Massachusetts just prior to the preparation of the Hopkins pamphlet.

The point, however, was one not free from difficulty. It was both strong and weak: historically strong; dialectically weak. If it might be urged (as by Hopkins) that through time and usage (the basic elements of the English Constitution) self-direct taxation had become the only constitutional direct taxation for the colonies, it might also be urged that in the eye of English statute law (which took no note of time) the colonies were still, as they had been at the start, mere corporations within the realm. Nor did the weak phase escape remark in Rhode Island. At Newport a pseudonymic pen (that of "a Gentleman at Halifax," disclosed afterwards as Martin Howard, Jr.) took up the cudgels for the British government in an argument not only urbane but well-nigh unanswerable.

Meanwhile neither Rhode Island's protest against the Sugar Act, nor its petition against a Stamp Act, was producing any perceptible effect on the crown, and between 1764 and 1766 events in the colony moved toward revolution with rapid strides. At Newport trouble with the revenue vessels and (after the passage in March, 1765, of the stamp law) with the stamp officials was incessant. The schooner St. John, tender to the Squirrel, was fired on by a mob at Fort George. A boat belonging to the Maidstone — a vessel engaged in impressing seamen — was seized by a mob and burned on the parade. Augustus Johnson, attorney-general and stamp distributer for the colony, and his friends

and abetters, Dr. Thomas Moffat and Martin Howard, Jr., were hung in effigy and their houses pillaged. These violent manifestations of feeling were interspersed with others less discreditable. On August 7, 1765, the Providence town meeting under the lead of Stephen Hopkins passed the famous resolutions which in May Patrick Henry had introduced in the Virginia House of Burgesses; not excepting resolution five from which the Virginia house had shrunk. Nor was this the end. In September of the same year the Rhode Island Assembly made the Virginia-Providence resolutions its own; stipulating to save harmless its officers for not regarding the Stamp Act. Under the stipulation Samuel Ward, who had been chosen governor in May, alone of the entire corps of British American governors refused to be sworn to execute the measure.

In October there was held in New York the Stamp Act Congress, but Rhode Island's participation though cordial was not conspicuous, and in 1766 the obnoxious stamp law was repealed. The colony on Narragansett Bay went wild with joy over the repeal, but two things remained still a vexation. The crown refused to pay to Rhode Island the war allotment for the year 1756 until such time as the colony should reimburse Johnson, Moffat, and Howard for their losses at Newport, and the Sugar Act was being stringently enforced.

The sugar duty had been renewed at three pence

a gallon. It now was reduced to one penny; but the collection of the one penny involved interposition, and it was interposition that was the real affront. Matters waxed steadily more serious throughout the period 1767–1770, a period signalized by the tea tax; by non-importation agreements; by the quartering of troops in Boston; by the "Farmer's Letters" of Dickinson; by the ordering to England for trial, on the charge of treason, of Samuel Adams and John Hancock; by eloquent championship of America in Parliament by Burke and Barré; by the scuttling at Newport of the revenue sloop Liberty; and, finally, by the "Boston Massacre." Between 1770 and 1772 there was again quiet, but in the latter year this quiet, both for Rhode Island and America at large, was dispelled by a grave occurrence in Narragansett Bay.

One day in March, 1772, his Majesty's schooner Gaspee of eight guns, with her tender the Beaver, took station in the bay and set about the enforcement of the Sugar Act by stopping and searching all vessels, little and big, which came within reach. By this course there was caused what is known in American history as the affair of the Gaspee — the first bold, overt, organized stroke of the Revolution. The Gaspee affair, furthermore, is of interest by reason of the connection with it of Joseph Wanton, governor of Rhode Island since 1769 and the last of a distinguished line to fill that position.

The commander of the Gaspee was Lieutenant William Dudingston, and Dudingston's commander was Admiral John Montagu, stationed at Boston. By the last of March the lieutenant's searches, which under Montagu's instructions were conducted upon the assumption that the Rhode Islanders were "a set of lawless piratical people," had become vexatious in the extreme, and Governor Wanton deemed it imperative to demand sight of his commission. The lieutenant did not produce it but sent Wanton's letter to Admiral Montagu. This seaman, to whom, as may be inferred, the amenities of intercourse were somewhat foreign, at once addressed the governor, threatening to "hang as pirates" any Newporters caught attempting to "rescue any vessel from the King's schooner," and denying the governor's right to inspect Dudingston's papers. Language of this kind awoke the Wanton spirit. The admiral was reminded with merited severity that the governor of Rhode Island did not "receive instructions from the King's admiral stationed in America."

Wanton's rebuke to Montagu was administered on May 8. On June 9, a sloop called the Hannah, on her way from Newport to Providence, was chased determinedly by the Gaspee until the latter ran aground on Namquit (now Gaspee) Point, near Pawtuxet. The Hannah on arriving at Providence reported the predicament of the schooner, and John Brown — a leading merchant (albeit one

not so scrupulous as his brother Moses) — resolved to seize the opportunity thus unexpectedly afforded. Brown summoned to his aid Abraham Whipple (a seasoned privateersman of the French War) and John B. Hopkins (a nephew of Stephen Hopkins), and it was planned to surprise the Gaspee toward midnight. A number of long-boats were collected, the oars carefully muffled, and soon after ten o'clock there was embarked a party of about fifty men. The small flotilla pulled steadily down the bay until the Gaspee was seen, when, with a view to avoiding her guns, the boats were so disposed as to approach the schooner on the bows. The hail of the single man on watch was answered with an oath, the crews bent to their oars, and in a few seconds the boats were alongside.

By this time Dudingston himself was on deck and had called all hands. Some pistols were fired at the boats, and the lieutenant was in the act of cutting with his hanger at one of the attacking party clambering into the starboard forechains, when he fell severely wounded by a musket-shot in the groin. All forthwith was over, and the Gaspee's crew having been set on shore, the vessel was burned to the water's edge.

Great was the excitement throughout Rhode Island and America, and in crown circles in England, on the spread of the news of the destruction of the Gaspee. Governor Wanton proclaimed a reward of £100 for the discovery of the perpetra-

tors of the deed. Edward Thurlow, his Majesty's attorney-general, pronounced the affair of "five times the magnitude of the Stamp Act." The Secretary for the Colonies, Lord Dartmouth, proclaimed in the name of the crown a reward of £500 for each common perpetrator, and of £1000 for each captain or leader. The rewards, together with a full pardon, were to be vouchsafed to any member of the perpetrating party who would betray the rest. Had the party consisted of hirelings or desperate characters, the unstinted offers no doubt would have brought betrayal. But of such the party did not consist. It was made up of substantial men, well-known citizens of Providence and loyal subjects of the king; of men who in making the attack wore their ruffled shirts and their hair neatly tied behind as usual, and who reposed perfect confidence in each other. From only one quarter did danger impend. A negro, Aaron Briggs, pretended to have been with the party, and he, under duress from one of the king's officers, made a so-called confession implicating John Brown. His general veracity, however, proved to be abundantly capable of impeachment.

For the purpose of eliciting actionable testimony, the king, in September, 1772, appointed a royal commission: Joseph Wanton, governor of Rhode Island; Daniel Horsmanden, chief justice of New York; Frederick Smythe, chief justice of New Jersey; Peter Oliver, chief justice of Massachu-

setts ; and Robert Auchmuty, vice-admiralty judge of Boston. The appointment of this commission created a stir. It was learned through the publication of a private letter from the Earl of Dartmouth to Governor Wanton that it was intended to protect the sittings of the commissioners by troops from Boston and to transport to England for trial for high treason any persons arrested.

The moment these intentions became known all chance of discovering the Gaspee culprits was at an end. The commission began its sessions early in January, 1773, and at about the same time the General Assembly convened at East Greenwich. Stephen Hopkins (now chief justice of the Superior Court) made before the Assembly the solemn declaration that for the purpose of transportation for trial he would neither apprehend by his own order, nor suffer apprehension to be made by any executive officer of the colony. It was with these words in their ears that the commissioners bent to their task. They gathered what evidence they could (which was little), submitted it to the Supreme Court for such action as might be deemed warranted, and in June adjourned. On June 10 Dr. Ezra Stiles, who had watched closely every move by the commission, thus wrote in his diary : " I apprehend something severe would have been done by the present Commissioners had not the Commission given an extensive Alarm to all the Assemblies upon the Continent, and occasioned the Resolutions

and Measures proposed by the Virginia Assembly in March last, which are now circulating, and will undoubtedly become universal, viz, forming Assembly Committees of Correspondence and enjoyning a particular Inquiry into the Powers of this Court of Commissioners at Rh. Island. These Assembly Committees will finally terminate in a General Congress. . . . A Congress had been sure if one person had been seized & carried from Rh. Island."

But in addition to many patriots, Rhode Island possessed among its people many loyalists.

The publication by Martin Howard, Jr., of Newport, of a reply to Hopkins's "Rights of Colonies Examined" made it plain that at Newport, at least, there were loyalists. Indeed, Newport was the seat of the loyalists. Loyalism meant simply conservatism, and conservative Newport had always been. As founded by Coddington it was a protest against the radicalism of Portsmouth under Anne Hutchinson and Samuel Gorton. Then in subsequent years Newport had amassed wealth and acquired social prestige, and both wealth and prestige are conservative forces. Newport loyalism, too, was fostered in another way. The town was filled with Quakers; it contained a good many Baptists and not a few Episcopalians. The Episcopalians were natural loyalists, and the Quakers contributed to loyalism by their opposition to war. As for the Baptists, they were not opposed to war (nearly the whole of Cromwell's army had

been Baptists), but as against the Puritans of Massachusetts they had received succor at the hands of the English government. It is not to be accounted strange if, in some instances, they were imbued with a patriotism that was but lukewarm.

Throughout 1774 events fairly crowded to an issue. In May Providence (true to its reputation for initiative) passed resolutions proposing a Continental Congress and instructing its deputies in the General Assembly to strive for a "Union" of the colonies. In June the Assembly adopted the Providence, and by this time also the Virginia and Massachusetts, idea, and named Stephen Hopkins and Samuel Ward as congressional delegates. In September Congress met in Philadelphia, passed a Declaration of Rights and various addresses, and signed an "Association" not to import any British manufactures or any East India Company tea after December 1, unless prior to that date American grievances should have been redressed. In October, November, and December the Rhode Island militia was reorganized and the British frigate Rose took in Newport Harbor the place left vacant by the Gaspee. Meanwhile, despite the allowance of a certain amount by the General Assembly upon the claims of Augustus Johnson, Martin Howard, Jr., and Dr. Thomas Moffat, the money due the colony from Great Britain was firmly withheld.

The year 1775 opened with the battle of Lexington. Rhode Island was profoundly stirred by the news, and several hundred men set forth from Providence for the scene of action, but were turned back by a message reporting the retreat of the British. At Newport there was not only excitement but terror and confusion. On April 24 Samuel Ward wrote from Westerly, counseling the "Messrs. Malbone . . . to get their vessels to sea or out of New England with all speed," and on the 26th the Stiles diary records: "Two Vessels full of Passengers sailed this morn^{g} for Philadelphia. The Town in great panic."

The same day a couple of flour ships bound for Providence were stopped by the commander of the Rose, Captain James Wallace; and John Brown, who owned the cargo, was detained and sent to General Gage at Boston to answer for his suspected connection with the Gaspee affair. It was no slight peril in which Brown was placed. His guilt was real, and what Gage might decide to do was doubly problematical since the day of Lexington. But at this juncture John Brown's brother Moses (from whom the fact of John's culpability had been kept a fast secret) provided himself with letters to Gage, Admiral Graves, and Chief Justice Oliver, and set out for Boston. After some parleying with sentinels he was allowed to pass the lines. He saw Oliver, was presented to Graves, and in virtue of the fact that the late royal com-

mission had been unable to elicit anything actionable against the suspect, was accorded the latter's release. The brothers returned to Providence mounted on one horse, John in the saddle and Moses *en croupe*, and were welcomed with joyful demonstrations. The General Assembly, meanwhile, had passed an act creating an army of observation of fifteen hundred men, and had suspended from office Governor Joseph Wanton for protesting against their course.

On May 10 Congress met (the second Continental Congress) and in it Rhode Island quietly but resolutely took an important part. Hopkins and Ward once more were the delegates, and Samuel and John Adams were delegates from Massachusetts. In Stephen Hopkins Rhode Island possessed a man of the John Adams foresight and courage. In 1757 Hopkins had asked, "What have the King and Parliament to do with making a law or laws to govern us by any more than the Mohawks?" In 1772 Adams had said, "There is no more justice left in Britain than there is in hell." During the first Congress Hopkins had affirmed to a circle of delegates, "The gun and bayonet alone will finish the contest in which we are engaged." During the second Congress Adams was writing, "Powder and artillery are the most efficacious, sure, and infallible conciliatory measures we can adopt." Nor were these words words merely. On June 15 John Adams nominated

George Washington commander-in-chief of the Continental forces. Already in May Rhode Island had installed as commander of its forces Nathanael Greene.

In August Rhode Island was ready for a further step. The General Assembly instructed its delegates in Congress to "use their whole influence" to secure the "building and equipping at the continental expense of an American fleet." Supremely fitting was it that the proposition for the founding of a United States Navy should emanate from Rhode Island. As declared by the Assembly to King William in 1693, the colony was "a frontier [to the rest of New England] by sea;" and from that time forth, through the wars of Queen Anne and the Georges, under the leadership of the Wantons, of Daniel Fones, of John Dennis, and of Abraham Whipple, Rhode Island had been for Britain a nursery of seamen and of daring.

The naval proposition (after some persiflage on the part of Congress at the audacity of it) was seriously considered in October, 1775. By February, 1776, as a result of the labors of a "Marine Committee," of which Stephen Hopkins was a member, there were ready two ships, the Alfred and Columbus, the first of twenty-four and the second of thirty-six guns; two brigs, the Andrea Doria and Cabot, each of fourteen guns; and four sloops, the Providence, Fly, Hornet, and Wasp. Of the fleet as a whole Esek Hopkins (a mariner

of experience) was made commander-in-chief. Of the several vessels, Abraham Whipple was made captain of the Columbus, and John B. Hopkins captain of the Cabot. These officers were Rhode Islanders all, and all, be it confessed, related either by blood or marriage to Stephen Hopkins of the Marine Committee. In March Commander-in-chief Hopkins was instructed to seek the enemy along the coast. He went, however, on a cruise to the Bahamas to capture such stores of needed powder and guns as might there be found. The expedition set sail from the Delaware capes on February 17, 1776, with John Paul Jones as first lieutenant of the Alfred. It made in due time a descent upon the island of New Providence, and, returning on April 8, brought some prisoners, a little powder, and about one hundred cannon.

Ere this Rhode Island had discarded nearly every badge of colonialism. It had issued bills of credit for local defense; had established a local postal system; had erected fortifications; had confiscated the estates of wealthy loyalists of Newport and Narragansett; had even at length deposed Governor Wanton and chosen Nicholas Cooke — a Providence man — governor in his stead. Only one thing remained to be done to make explicit the independence which by these acts had been implied, and that was to pass a declaration formally absolving the people of Rhode Island from their allegiance to the British crown. Such a de-

claration was passed on May 4, just two months before the signing of the great Declaration at Philadelphia.

Little by little, through acts of governmental interposition — several of them justifiable, some of them necessary, one of them (the Sugar Act) conspicuously a mistake — it had been brought to pass that the British American colony originally perhaps the most loyal of all to the crown was hopelessly alienated and estranged.

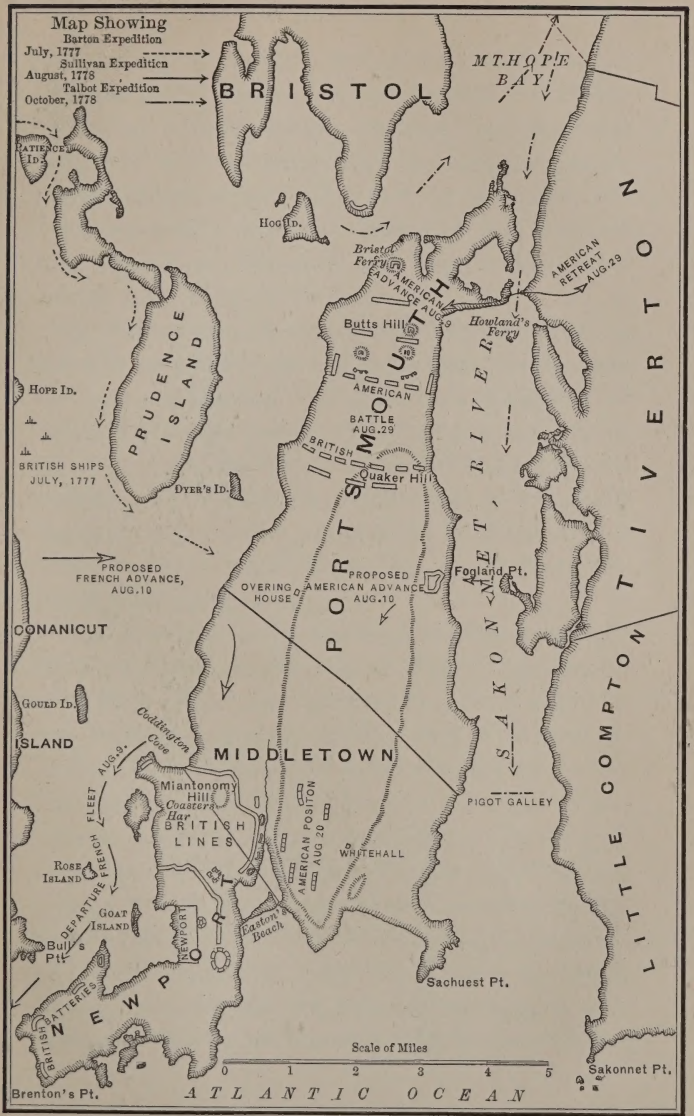
CHAPTER XI

RHODE ISLAND THE THEATRE OF WAR

Esek Hopkins — The British at Newport — Seizure of General Prescott — Sullivan and D'Estaing — The Pigot Galley — Destitution — Newport and the French.

WHEN last we saw the American squadron under Commander-in-chief Hopkins it had just returned from the Bahamas with captured stores and ordnance. But the return voyage was not quite the triumphal progress that it might have been.

On the morning of the 6th of April, about one o'clock, there was dimly descried off Point Judith a ship which proved to be his Majesty's ship Glasgow, of twenty guns and one hundred and fifty men, commanded by Captain Tyringham Howe. This vessel, since the autumn of 1775, had been serving as consort to the Rose off Newport. By half-past two the Cabot had got near enough to hail, and an interchange of amenities in the form of broadsides took place. The result was that the Cabot was badly damaged and cut up. She lost four men killed and eight wounded; among the latter, John B. Hopkins her captain. Next, the Alfred came into action. She lost her wheel-block and ropes, was several times raked, suffered a shot through


Map Showing
Barton Expedition
July, 1777
Sullivan Expedition
August, 1778
Talbot Expedition
October, 1778
BRISTOL
MT. HOPE BAY
PATIENCE ID.
HOG ID.
Bristol Ferry
AMERICAN ADVANCE AUG. 29
AMERICAN RETREAT AUG. 29
Howland's Ferry
Butts Hill
PRUDENCE ISLAND
HOPE ID.
BRITISH SHIPS JULY, 1777
DYER'S ID.
AMERICAN BATTLE AUG. 29
BRITISH
Quaker Hill
PORTSMOUTH
SAKONNET RIVER
LITTLE COMPTON
PROPOSED FRENCH ADVANCE, AUG. 10
OVERING HOUSE
PROPOSED AMERICAN ADVANCE AUG. 10
Fogland Pt.
CONANICUT
GOULD ID.
ISLAND
Coddington Cove
AUG. 9.
MIDDLETOWN
Miantonomy Hill
Coasters Har
BRITISH LINES
FLEET
DEPARTURE FRENCH
AMERICAN POSITON AUG 29
PIGOT GALLEY
WHITEHALL
ROSE ISLAND
GOAT ISLAND
Bull's Pt.
NEWPORT
Easton's Beach
BRITISH BATTERIES
NEWPORT
Sachuest Pt.
Scale of Miles
0 1 2 3 4 5
Sakonnet Pt.
Brenton's Pt.
ATLANTIC OCEAN

the mainmast, received several shot under water, and lost four killed and seven wounded. With the Columbus it fared better; on board her there was a loss of only one wounded. The Glasgow, meanwhile, though considerably cut up aloft, had not been materially damaged. She had lost but one killed and three wounded, and had made good a retreat into Newport Harbor.

In this combat, in which there were arrayed on the side of the British not more than twenty guns and one hundred and fifty men, and on the side of the Americans at least one hundred guns and seven hundred men, the honors were decidedly with the British. The Americans showed pluck, especially the crew of the Cabot under John B. Hopkins, but of the fleet as a whole there was no adequate disposition or management.

The ill success which attended the first encounter with the enemy on the part of Esek Hopkins pursued that officer ever afterwards. In August he was ordered on a cruise off the coast of Newfoundland, but could not enlist seamen sufficient for the undertaking; and in October, for the same cause, he was unable to carry out an order to proceed to Cape Fear, North Carolina. Finally, in December, a large British fleet appeared in Narragansett Bay, and Hopkins found himself effectually blockaded ("bottled" the late General Ulysses S. Grant would have termed it), and his usefulness as a fleet commander at an end. Hopkins's own ac-

count of his predicament at this time is little short of pitiful. He wrote: "We are now blocked up by the enemy's fleet, the officers and men are uneasy, however I shall not desert the cause but I wish with all my heart the Hon. Marine Board could and would get a man in my room that would do the Country more good than it is in my power to do."

Hardly surprising is it that in August, 1776, Congress should have censured Hopkins; that in March, 1777, it should have suspended him from his command; and that in January, 1778, it should have dismissed him from the naval service altogether. He was described, in 1776, by Colonel (afterwards General) Henry Knox, as "an antiquated figure" — a sort of belated Admiral Van Tromp. The description was meant to apply merely to his dress and bearing, but it really went deeper. The "commander-in-chief" (the American navy has had but one) was a well-meaning man, unresourceful and slack; one of those upon whom misfortunes seem to descend by sheer force of natural attraction.

It is not to be gainsaid that in seeking to re-man his ships, after his return from New Providence, Hopkins met with genuine perplexity. He was forced to compete for seamen with the owners and captains of privateering craft, and at a distinct disadvantage. The situation was as follows: In December, 1775, Congress, while hastily fitting out

a squadron for Hopkins, ordered the construction of thirteen vessels, — five of thirty-two guns, five of twenty-eight, and three of twenty-four. Two of the vessels — the Providence and Warren — were to be built in Rhode Island. The work was placed in the hands of a committee of the leading men of Providence: Nicholas Cooke, Nicholas Brown, Joseph Russell, Joseph Brown, John Brown, Daniel Tillinghast, John Innes Clarke, Joseph Nightingale, Jabez Bowen, and Rufus Hopkins. But, though the ships were to be finished by April, 1776, and though the committee having them in charge was thoroughly competent, the work lagged. Why?

In March, 1776, Congress had passed an act authorizing the issuing of letters of marque against English commerce. Soon afterwards the Rhode Island General Assembly had passed an act providing for the issuing of such letters within its jurisdiction, and creating an Admiralty Court for the condemnation of prizes. The old Narragansett viking and individualistic spirit of the French and Spanish wars was at once aroused. Everything else was neglected, and privateering became the business of the day. Providence had been rebuking the unpatriotic covetousness of Newport as disclosed in a failure to observe the non-importation agreement. Now Providence itself, even to its distinguished committee of Browns, Russells, Clarkes, and Nightingales, was guilty of a

like self-seeking. In fact, to such lengths did the committee carry its disregard of national interests, that members of it (John Brown in particular) were permitted to divert to their own use, in the construction of privateers, labor and materials designed for the government work. Of this fact Hopkins, who, weak though he may have been, was thoroughly honest, complained bitterly to the Marine Board, and the Providence committee in high indignation resigned its powers.

Matters did not improve. The privateers, with their roving commissions and chances for lucrative gains, took all the seamen; and when the sorely beset commander-in-chief sought, through the legislature, to lay an embargo on enlistments until his own ships should be manned, the Browns, Russells, and others were able to circumvent him. During a period of less than five months in the year 1776 there were commissioned from Rhode Island sixty-five privateers. On November 12, 1776, Dr. Stiles records (probably with little exaggeration; at figures and calculations the doctor was unwearied): "It has been computed that this War by prizes by building ships of War & the Navy has already within a year and a half brought into Providence near Three Hundred Thousand Sterling; which is double the Property of the whole Town two years ago."

In the end — that is, by December, 1776 — an embargo on enlistments by merchantmen and pri-

vateers fitting out in Narragansett Bay proved to be unavoidable, and an act to that effect was accordingly placed upon the Rhode Island statute book.

The departure from Boston, in June, 1776, of the British force under General Sir William Howe marked the close of the preliminary stage of the Revolution. Down to this time the attitude of Great Britain toward America had been that of a mother country temporizing with rebellious dependencies; particularly with that set of dependencies (New England) where the spirit of rebellion was strongest. With the concentration of British fleets and armies at New York — a concentration which, between June and August, took place under Admiral Lord Howe and General Howe — the British attitude changed to that of a foreign power seeking to cut in twain (along the main artery, the Hudson River) a hostile territory. This effort marked the crisis of the Revolution. For Rhode Island it was characterized by the lodgment upon its soil and in its waters of a force advantageously placed either for coöperating by way of Long Island Sound with the British force at New York, or for penetrating into New England and subduing that section after the task of separating it from the middle colonies had been achieved.

In March, 1776, Samuel Ward had died of small-pox at Philadelphia, and in September of the

same year Stephen Hopkins, grown quite infirm, had ceased to attend the sessions of the Continental Congress. In the place of Ward, and as coadjutors of Hopkins, there now were appointed William Ellery (*fils*) and Henry Marchant. Fear that the British had planned a descent upon Newport began seriously to be felt in Rhode Island in November, 1776; and on December 2 news was received by way of Watch Hill in Westerly that "eleven sail of square rigged vessels [under Sir Peter Parker] were standing in between Block Island and Montauk Point." On December 7, Parker's squadron (comprising seven ships of the line and four frigates), together with a convoy of seventy transports carrying six thousand troops, anchored off Middletown.

Precipitate was the withdrawal from the island of Rhode Island of the single battalion by which it was defended, and of a considerable part of the inhabitants. The General Assembly met, and, in pursuance of its measures, a convention of the New England States was held at Providence on December 25. By this body (under the presidency of Stephen Hopkins) it was resolved to muster from New England six thousand men, and place them under the direction of the Continental general commanding in Rhode Island. At about the same time William Ellery wrote from his place in Congress urging an attack upon the British at Newport, and stating that Washington had appointed Generals

Benedict Arnold and Joseph Spencer to take command in New England. It had been hoped to obtain for the post either Gates or Greene.

Neither Arnold nor Spencer effected anything toward the reduction of the island. The British force there was composed of five British regiments — four of infantry and one of artillery, and four Hessian regiments of infantry, one of which was the celebrated Anspachers. The principal officers were General Sir Henry Clinton, Lieutenant General Hugh Earl Percy, and Brigadier-General Richard Prescott. Some of the Newport loyalists ere this time had suffered rustication to the mainland, but that a goodly number had not is to be inferred from the fact that an address of duty and loyalty to George III was now signed by four hundred and fifty-four freeholders of the town. A like address was signed by the freeholders and inhabitants of Jamestown, and by the Newport "society of those called Quakers."

In January, 1777, Sir Henry Clinton was recalled to England, and in May of the same year he was followed by Earl Percy. The command at Rhode Island, therefore, devolved upon General Prescott. Not long afterwards (in July) the general was made the victim of a piece of Yankee temerity which in its day caused a very great sensation indeed.

Prescott's headquarters at Newport were in the

Bannister house (still standing), but the general, as something of a high liver and *roué*, was accustomed to frequent the house of a loyalist named Overing, which was situated on the west side of the island near the Redwood villa. At this time there was stationed at Tiverton, as major of an American regiment under Colonel Joseph Stanton, a young man, the son of a hatter of Warren, William Barton. Barton was observing, reflective, full of patriotism and daring, and when, from deserters, he learned of the practice on the part of General Prescott of paying nocturnal visits to the Overing house, the news stimulated him to attempt the execution of a plan which he for some time had been maturing. The plan was to seize and make prisoner of Prescott by way of retaliation for the seizure of General Charles Lee effected a few months before by the British.

Barton confided his views to Colonel Stanton, and by him was authorized to carry them out. From a multitude eager for service he carefully selected forty men, and with them, on July 5 and 6, proceeded in five whale-boats to Bristol. The men knew nothing as to the errand on which they were embarked, but on reaching Bristol they were ordered to row out to Hog Island, where, after being sworn to secrecy, the errand was disclosed to them. Thunder-storms were now almost a daily occurrence, and it was not until the evening of July 7 that the party got to Warwick Neck,

whence the expedition was to start. It was not until the night of the 9th that a start actually was made.

The boats crept stealthily between the islands of Patience and Prudence, stole as stealthily down the west shore of Prudence past Hope (near which riding at anchor was a part of the British fleet); rounded the large island and swept rapidly across to their destination. The men landed, marched a mile to the Overing house and secured the single sentinel on guard. They then forced the main door, found Prescott, after some search, sitting bewildered in a lower chamber on the side of his bed, and, permitting him to don merely his waistcoat, breeches, and slippers, marched him off, along with his aide, Major Barrington, and the sentinel, to the boats. "You have made a damned bold push to-night," remarked Prescott as he was being hurried along. After embarkation, as the lights of the fleet opened to view, he said: "I did not think it possible you could escape the vigilance of the water guards."

Prescott while a prisoner in Rhode Island was quartered at Providence, and it adds not a little to the picturesqueness of the episode of his capture that on his arrival he (aged coxcomb that he was) sent for Providence's learned barber, John Howland (of whom in these pages more anon), to dress his hair; and that shortly there came from Newport a flag of truce bearing the general's entire

wardrobe, — his purse, his hair powder, and a plentiful supply of perfumery.

To Barton and his men there was voted by the Rhode Island General Assembly a sum of money, and Barton himself was rewarded at the hands of Congress by promotion and the gift of a sword.

In consonance with the British plan of separating New England from the rest of the American Union, General John Burgoyne had, about June 1, 1777, been dispatched from Canada with an army of nearly eight thousand men on a peregrination southward by way of Lake Champlain to Albany. There he was to be joined by Sir William Howe from New York. Burgoyne's orders did not permit him to digress with his main column, but, learning that the Americans had accumulated stores at Bennington [Vermont], he deemed it expedient to detach Lieutenant-Colonel Baum with five hundred men (increased afterwards to a thousand) to destroy them. Baum afterwards was to advance across the country to Springfield, Massachusetts, a point at which he was assured "he would be met by his Majesty's forces from Rhode Island." The fight led by John Stark at Bennington on August 16 put an end to the advance of Baum, and the surrender to Gates on October 17 by Burgoyne himself removed all fear of an immediate severance of New England from the West.

So far as Rhode Island itself was concerned, the

British (in the expressive words of the General Assembly) still were lodged in its very "bowels," and an attack on Providence was apprehended. General Spencer resigned his command in December, 1777, and in February, 1778, Washington, complying with an order of Congress to name a successor, promptly named General John Sullivan. Greene, had it been felt by Washington that he then could be spared from New York, would gladly have accepted the place, and indeed had been urged by Ellery to apply for it.

It was in April that Sullivan took charge of his new department. He found Sir Robert Pigot in the stead of Prescott, and in May Pigot sent an expedition against Warren and Bristol. It was Sullivan's intention to attack the British at Newport as soon as he should succeed in assembling a sufficient force. Celerity was imparted to his movements by news received in July that a French fleet under Vice-Admiral Comte d'Estaing was upon the coast, and that Rhode Island would be the fleet's destination.

Of the three American seaports held by the British in June, 1778, — Philadelphia, New York, and Newport, — Philadelphia had now been evacuated. There therefore remained only New York and Newport for D'Estaing to choose between as objectives, and, as New York proved impracticable of approach by reason of the draught of the count's vessels, Newport became the objective from necessity.

On July 23 General Greene, with fine imaginative realization of the historic significance of what was about to take place, wrote to Sullivan from White Plains: "You are the most happy man in the world. . . . You are the first general that has ever had an opportunity of coöperating with the French forces belonging to the United States. The character of the American soldiers, as well as of their officers, will be formed from the conduct of the troops and the success of this expedition. . . . I wish most ardently to be with you. . . . *I charge you to be victorious.*" In the same letter Greene let his correspondent into the secret that Gates (more exalted than ever since the surrender of Burgoyne) had himself sought from Washington the distinction of being the first American general to coöperate with the French.

In the movement against Newport Washington sent to Sullivan's aid (under the Marquis de Lafayette) the Continental brigades, some two thousand strong, of John Glover and James M. Varnum. He gave to General Greene and to Colonel John Laurens (the dashing son of Henry Laurens, President of Congress) leave to participate, and by August 4 men and officers were in the vicinity of Providence. As for the French fleet, — composed of twelve ships of the line and four frigates, — it had arrived off Newport on July 29.

The position of the British on the island of

Rhode Island (a position held now by about six thousand men) was exceedingly strong. It constituted a right angle of which Newport formed the apex, the sea on either hand the sides, and of which the mouth from side to side was completely subtended by two lines of works, one a mile within the other. As supplementary, moveover, to the main position, there was Butts Hill at the north end of the island. It commanded both Bristol and Howland's ferries and had been carefully fortified. So strong was the British position that successfully to attack it by land alone was, for a force not markedly superior to the garrison, difficult in the extreme. Any column of moderate strength which should leave Butts Hill in its rear would be likely to have its communications severed. Any such column that should pause to capture the hill was likely to be taken in rear by a relieving force from Newport.

All these difficulties at once vanished if the attacking army held command of the sea. To command the sea was to command the British rear, and it was with a view to the advantages of a rear as well as front attack that D'Estaing on July 29 (the day of his arrival) urged preparations for immediate action. But at this time the American general had with him practically no troops at all. Lafayette did not arrive with the Continental brigades until August 4, and the militia were mustering slowly. Had an attack been made forthwith,

it must have been made almost wholly by the French force of about twenty-eight hundred marines, the inadequacy of which was obvious for operations in rear alone.

In any event, the task first to be performed was to clear the bay of British war-vessels. It proved not difficult, for on the appearance of ships from the French fleet in the west, middle, and east passages, the British ships (ten in number) were burned or blown up. Next it was decided that on August 10 — a date satisfactory to Sullivan — there should be effected, simultaneously, a landing by the French marines on the west side of the island of Rhode Island, and by the Americans on the east side. The garrison on Butts Hill would thus be cut off, and the way to Newport would be cleared. On August 8 D'Estaing ran the batteries at the entrance to Newport Harbor. But by the morning of the 9th the Butts Hill garrison had been withdrawn; so Sullivan at once transferred his force — now by the influx of the New England militia raised to ten thousand men — to the island. The same day D'Estaing began disembarking his marines on Conanicut to move to Sullivan's support. The British were completely trapped. Their front and flanks were menaced by the Americans and the marines; their rear was at the mercy of the French fleet.

Before the disembarking of the marines was completed, however, Admiral Lord Howe, with

thirteen ships of the line and seven frigates, came in sight off Point Judith. D'Estaing, in order himself not to be trapped in turn, put to sea to meet Howe. A storm of wind and rain arose, and though upon the subsidence of the elements some bloody ship duels took place, both fleets (on August 20) were forced into harbor: the British at New York, and the French at Newport.

Sullivan, meanwhile, in daily expectation of the return of D'Estaing, had advanced his army down the east side of the island, and from Honyman's Hill was assailing the British works with an effective cannonade. He was thus engaged on the 20th of the month when the French fleet, battered and in part dismantled, reached port. What was his astonishment to be told that D'Estaing, instead of returning to give aid, had done so to announce his determination to go to Boston to refit. Nothing remained to be done save vehemently to protest at the course of the French admiral (a proceeding in which Lafayette would not join, and which it afterwards took no little diplomacy to smooth over), and either to storm the British lines or retreat. To storm, with the militia deserting in shoals as now was the case, was manifestly out of the question. Retreat began on August 28, and the so-called battle of Rhode Island, which occurred on August 29 in the depression between Quaker and Butts hills, was simply a spirited repulse by the Americans of the pursuing British; a repulse dur-

ing the infliction of which Lafayette, with fiery zeal, was riding a-gallop to Boston to make a last vain appeal to D'Estaing for the return of the fleet; and at the end of which the American army, under cover of night and without loss, was conveyed over Howland's Ferry to the heights of Tiverton.[1]

The departure of D'Estaing — by reason of the loss of the command of the sea thereby entailed, and so of access to the British rear — had brought failure to the Sullivan expedition: an expedition the first fruit of the Franco-American alliance; one the success of which would have rivaled that of the capture of Burgoyne; one, therefore, that might have led to an acknowledgment of American independence. No wonder that Greene, in his July letter to Sullivan, had said: "*I charge you to be victorious.*"

To Rhode Islanders in general the withdrawal from before Newport was a step full of disheartenment. The discriminating refused to blame Sullivan, but there were those that were not so considerate. Such an one was our acquaintance John

[1] In February, 1778, the General Assembly passed an act permitting the enlistment in Rhode Island of "negro, mulatto, or Indian man slaves." Under this act two battalions of negroes (slave and free together) were forthwith raised, and they participated in the battle of Rhode Island. It has been customary to ascribe prowess to these battalions, but the investigations of Mr. S. S. Rider (*Hist. Tract. No. 10*) have proved that the negroes acquitted themselves with little distinction. Indeed, in July, 1780, the Assembly forbade any further enlistments of negroes.

Brown — John Brown, author of the destruction of the Gaspee, postponer of government to private advantage, source of solicitude upon all occasions to his brother Moses. And what, in his disgust at still being forced to run his privateers past British batteries, John Brown did, was to write a letter to General Greene, in which he pronounced the late expedition "the worst concerted and the most disgracefully executed of any during the war." It is gratifying to know that Greene's reply, after a careful review of events, was this: "I cannot help feeling mortified that those that have been at home making their fortune, and living in the lap of luxury, and enjoying all the pleasures of domestic life, should be the first to sport with the feelings of officers who have stood as a barrier between them and ruin."

By far the most brilliant local naval exploit of the year 1778 was the opening of the east passage of Narragansett Bay through the capture, by Major Silas Talbot, of the Pigot galley.

In 1776 Talbot, a Bristol youth residing at Providence, had performed on the Hudson River the daring feat of piloting a fire-ship against the Asia, a British sixty-four gun vessel. Ever since that time Henry Marchant (to whom very likely there was familiar also the thrilling story of the fire-ships of Antwerp) had been a zealous advocate of the use of such craft against the blockaders near

Newport. But while, in deference to Marchant, it had been arranged in August, 1777, to send out six large fire-vessels from Providence, Talbot in October, 1778, conceived a surer plan.

With the consent of General Sullivan, he fitted out with two three-pounders and sixty men a coasting sloop (the Hawk) in which to make an attack on the Pigot galley by night. In order to reach the galley, it was necessary to pass two British batteries: one on the south side of Bristol Ferry, and the other on the west side of Fogland Ferry. The first battery was passed without damage, though not without discovery, and refuge was taken in Taunton River. Here Talbot found himself obliged to await a change of wind, and he improved the interval by riding down the east coast to a point in Little Compton opposite the galley, where, with a glass, he was able to make a study of that craft. She was a stout brig of two hundred tons, from which the upper deck had been removed, and upon the lower deck of which there had been mounted eight twelve-pounders and ten swivels. Furthermore, she was protected all around by a boarding net of unusual height.

As a result of his survey, Talbot asked for and obtained a reinforcement of fifteen men under Lieutenant John Helme. On the night of October 28 he slipped silently past the battery at Fogland Ferry, and then made all sail. Fearing after some time that he might have missed the galley in the

darkness, he anchored and sought the blockader in a boat. She soon loomed up massively ahead, and Talbot, carefully noting her position, returned to the Hawk. The latter was then directed at full speed against her antagonist. The oncoming sloop was loudly hailed from the galley, and then greeted with a volley of musketry; but soon the jib-boom of the Hawk, which had been armed with a kedge anchor, tore a wide hole in the galley's net, and Talbot and his men were enabled to leap on board.

There was little or no struggle. The crew of the Pigot all fled below. Only the young commander, Lieutenant Dunlop, made a serious show of fight, and he, like Dudingston of the Gaspee, was quickly overpowered. When he found that he had been vanquished by a sloop armed with three-pounders and with but two of these, he threw himself in tears upon the deck, lamenting the loss of his chances of promotion, — an exhibition of natural feeling with which Talbot was altogether too generous not to sympathize.

Elation in Rhode Island over the capture of the Pigot galley was quickly followed by most intense anxiety regarding the means of subsistence. Already in July, 1777, at a convention of the New England States held at Springfield, resolutions had been passed on the money question, — the resolutions referred to in chapter iii. Others were

passed against State embargoes on food stuffs, and against the practice of "forestalling" or "cornering" the market. So far, however, as embargoes were concerned, the action taken had accomplished little, and in January, 1779, William Greene — governor in succession to Nicholas Cooke and a son of the William Greene who had served as governor in the days of the land banks — found it incumbent upon him to write a letter of earnest appeal to Connecticut.

The winter was one of appalling severity. More than a thousand refugees from Newport were on the mainland in a condition of almost complete destitution. "Our situation," wrote Governor Greene, "is perhaps somewhat similar to that of the good old patriarch Jacob and his numerous family (a little republic) when he sent into Egypt to buy a supply of corn, saving in this that he found no embargo to prevent his purpose." Connecticut was then solemnly adjured to remember that "whoso stoppeth his ears at the cry of the poor, he also shall cry himself, but shall not be heard." Be it said at once that Connecticut did not prove recreant. At an early session of its General Assembly it granted generous relief. And not only in this way was Rhode Island helped. In the following summer General Gates, who had been appointed to succeed Sullivan in the eastern department, sent Talbot, in the sloop Argo, to clear Long Island Sound of loyalist privateers, which in

great numbers were hindering the importation of grain, and never was task of the kind more effectively performed.

D'Estaing, after a long sojourn at Boston — a sojourn enlivened by the unwearied hospitalities of John Hancock — set sail in November, 1778, with his fleet for the West Indies. In January, 1779, Lafayette sailed for France. From the West Indies D'Estaing went to Savannah, and thence home. Never again did he behold America. In France he, like others of the period, sought to secure reforms while avoiding revolution, and his fate was what might have been expected. He died by the guillotine in 1794. As for Lafayette, his heart and mind were absorbed in the American cause, and it was through him chiefly that the French government was induced to send to America, in the spring of 1780, an earnest of substantial succor in the form of fifty-five hundred regular troops, commanded by Lieutenant-General Comte de Rochambeau, and convoyed by six ships of the line under Admiral Chevalier de Ternay.

Newport was evacuated by the British in October, 1779. When, therefore, in July, 1780, De Ternay[1] (whose orders, inspired by Lafayette, were to land in Rhode Island) came to anchor off

[1] Admiral de Ternay died at Newport in December, 1780. His monument lends to-day a contemplative interest to the interior of Trinity Church.

Brenton's Point, there was no enemy to gainsay him.

It was a brilliant and distinguished group of Frenchmen that for a year graced the social circle of Newport. There was first of all Rochambeau himself quartered in the stately William Vernon house; a man not striking of stature but keen-visaged and able to discuss in creditable Latin with Dr. Ezra Stiles (now President of Yale College) the capture of André. Next there were Rochambeau's three *maréchaux-de-camp*, with quarters at Mr. Joseph Wanton's, — the two Viomenils, fair haired and tall, and the Chevalier de Chastellux, member of the Academy, and pronounced by those with a taste for letters "the glory of the army." Aides, too, and officers of varied rank (among them the Duc de Lauzun, famed for his amours) were domiciled with the Levis, the Malbones, the Redwoods, the Wards, the Hazards, the Freebodys, the Riveras, and the Coggeshalls. And what was more, these men (as William Channing noted upon their arrival) were found to be not at all "the effeminate Beings we were heretofore taught to believe them, but as large & as likely as can be produced by any nation."

Nor, in turn, did the social resources of Newport prove inadequate to the unusual demands thus made upon them. The beauty and grace of the women — always notable — more than ever were notable now; so much so, in fact, that the French

gentlemen who met Polly Lawton the Quakeress, or Margaret and Mary Champlin, or Mehetable Redwood, or the Misses Hunter, or the Misses Ellery, were apt quite to forego words of soberness in describing their impressions. A certain fashionable Newport diversion, however, — that of copious tea-drinking, — gave pause even to Gallic politeness. Not only was the practice amiably satirized by Abbé Robin, but the story was told how a French officer, after heroically imbibing what seemed to him quarts of the insipid beverage, burst forth to his hostess: "I shall veesh to send zat servante to helle for breenging me so much hot vater to dreenk."

The pleasure of the French occupation of Rhode Island was not confined to Newport. A share fell to Providence. Many a gallant Gaul yielded homage in the old home of Polly Olney to the charms of that coquettish damsel's worthy successors, — the Misses Bowen, Miss Waity Arnold, and Miss Sally Church. The erudite Chastellux alone waxed censorious. He wrote: "The hair of the feminine American head is raised and supported upon cushions to an extravagant height, somewhat resembling the manner in which French ladies wore their hair some years ago."

In March, 1781, Washington (not in the best of humors, it is said) came to Newport to confer with Rochambeau, and the honors vouchsafed to him by the French were of the most elaborate

kind — those, in a word, as Dr. Stiles observed at the time, accorded only to a marshal of France. The fleet thundered a salute; the general, with Rochambeau unbonneted on his left, walked from Long Wharf between a double line of soldiers to the State House, and thence to the count's headquarters in the Vernon house. In the evening there was an illumination of the town. Later a great ball was given, and Washington, choosing for a partner the radiant Margaret Champlin, asked her to select the dance. That lady, with a tact that threw the French officers present into an ecstasy of delight, selected "A Successful Campaign." And a successful campaign it proved. Washington, departing westward, ere long was followed by the army of Rochambeau; and, on October 14, 1781, Yorktown (into which the distinguished Rhode Islander, Nathanael Greene, had edged Cornwallis from the Carolinas) was taken by assault, with Stephen Olney of Rhode Island commanding a detachment at the head of the storming column.

CHAPTER XII

THE FEDERAL CONSTITUTION

The Articles of Confederation — David Howell and the Impost Measures — Ratification of the Great Instrument.

To the Articles of Confederation, submitted by Congress to the States for ratification in November, 1777, Rhode Island had acceded in February, 1778. Such promptitude in the adoption of a scheme of joint political action on the part of a commonwealth opposed traditionally to any scheme of the kind was due to the necessities of war, but it was due also to saving clauses of the articles in question. Not only did the articles expressly reserve to each State its "sovereignty, freedom, and independence;" they made the reservation effective by inhibiting Congress from regulating the commerce of a State with other States or with foreign countries, and from levying upon a State or its people either direct or indirect taxation. How completely the Articles of Confederation (which could be amended only with the consent of all the States) marked the extreme limit of willing approach by Rhode Island to a system of Federal control was to be strikingly demonstrated in the period embraced between the years 1781 and 1791.

On February 3, 1781, while the French still were in occupation of Newport, Congress advised the States that it was absolutely indispensable, to the end of meeting the public obligations, that it be vested with power to impose a duty of five per cent ad valorem on all goods (with enumerated exceptions) to be imported into the United States after the first of May. Robert Morris was then chosen Superintendent of Finance, and the course of events anxiously awaited. Among the congressional delegates from Rhode Island was James M. Varnum. Born in Massachusetts, he was so little of a Rhode Islander in spirit that, writing to Governor Greene in April, 1781, he conceived it no impropriety to suggest that a national "convention" ought to be called "to revise and reform the Articles of Confederation, to define the aggregate powers of the United States in Congress assembled, to fix the executive departments and ascertain their authorities." Indeed, so little of a Rhode Islander was he that, writing again in August, he said: "We are at a loss to conjecture the rumors which have induced the State of Rhode Island to delay complying with the requisition of Congress, respecting the five per cent duty."

At the close of 1781, when Varnum returned home, his perplexity over the "delay" by Rhode Island in authorizing the five per cent duty was removed. In January, 1782, the pen of "Dixit Senex" declared in the columns of the Providence

"Gazette" that while "Congress may call on us for money, it cannot prescribe to us methods of raising it." In this statement there was condensed the whole Rhode Island doctrine. The Narragansett Bay commonwealth had withheld its approval of the proposed tariff for the reason that it perceived in it a limitation upon its autonomy. Even in colonial days — the days of its nonage — Rhode Island had been the most restive of all the colonies under the regulations of British commercial policy. Why, therefore, after it had just freed itself from the plague of outside tariffs and outside collectors, should it, through an authorization to Congress of a five per cent duty, re-subject itself to tyranny? So argued "Dixit Senex."

To "Senex" Varnum replied forcibly, but with the result of calling into the field of debate the keenest and best equipped champion of the peculiar political ideas of Rhode Island which that commonwealth has ever possessed — David Howell. Both Varnum and Howell have come within our ken as they stood a few years later — the one a powerful advocate at the bar, and the other a courageous and discriminating judge upon the bench; but at the moment Howell was a young lawyer of Providence unknown to fame. Upon his graduation from Princeton in 1766 he had come to town at the earnest request of James Manning, and had since filled the chair of natural philosophy in Brown University. His literary style

was fluent, flexible, and trenchant, and at the end of his controversy with Varnum he became widely enough known to be elected to Congress.

The conditions which confronted him in that body were not encouraging. Eleven States had signified their more or less cordial approval of the projected tariff or impost. Only Georgia and Rhode Island were holding back, and of these Georgia was not fixed in resolution. In order to bring matters to a head, Congress appointed a committee to inquire of the two States why they had not pursued the course of the other States. At the sessions of this committee Robert Morris attended and Howell appeared for Rhode Island. The objections by Howell to the impost were four in number: (1) that the revenue raised by it would go to the United States, whereas in the case of Rhode Island (a maritime community) any such revenue ought to go to the State alone; (2) that the war had so wasted the shores of Narragansett Bay that it was needful for Rhode Island to conserve every source of income; (3) that a sovereign State should itself collect all taxes levied within its borders; and (4) that the duration of the proposed impost was indefinite and might be made perpetual. In modification of the measure as it stood, Howell suggested clauses providing for the deduction of the proceeds of the impost from the annual quota of Continental requisitions upon a State and for collection by officers locally chosen.

A careful reply to Howell was submitted by Robert Morris to Governor William Greene on August 2, but without result; and in October Congress, under the leadership of Alexander Hamilton and James Madison, passed a resolution demanding from both Georgia and Rhode Island an explicit avowal as to whether they would or would not approve the impost.

The crisis drew from Howell one of his most telling appeals to his constituency. It bore date October 15 and began thus: "The object of a seven years' war has been to preserve the liberties of this country. . . . It has been on our part a contest for freedom — not for power! . . . We know your early, continued, and persevering zeal in your country's cause. We cannot doubt your firmness. To quicken your memory, awaken your feelings, and to fix your attention, is the object of this letter." The abiding arguments of particularism against authority were then lucidly rehearsed, and the State was abjured not to take the irrevocable step of sanctioning the impost if it had "a single remaining doubt." With Howell's plea before it, the Rhode Island General Assembly met at East Greenwich on the last Monday in October, 1782, and on November 1 voted unanimously against the impost plan.

The struggle between Rhode Island and Congress over the impost was now given a turn not a little dramatic. Howell had been in the practice

of writing to John Carter, publisher of the Providence "Gazette," upon the proceedings of Congress. From one of his letters a paragraph stating that the credit of the United States abroad was such that "of late they had failed in no application for loans" had appeared in print on November 2. Indignant at the course of Howell (who was held responsible for the course of Rhode Island), Hamilton and Madison were stirred to the quick by this statement concerning the public credit — a statement designed to belittle the need of an impost — and proceedings were set on foot to discredit Howell in his own State.

On December 18 the Rhode Island delegate introduced in Congress a resolution avowing and justifying the "Gazette" paragraph and challenging criticism of himself. On December 20 Hamilton and Madison, as members of a committee of inquiry which had been appointed, recommended that Howell's resolution "be transmitted by the Secretary for Foreign Affairs to the Executive of the State of Rhode Island with an authentic copy of the several applications for foreign loans, and the result thereof." Over the recommendation a sharp struggle ensued. It was short as well as sharp, for at nearly every turn the vote of Rhode Island was left unsupported.

In undertaking, however, to influence Rhode Island by discrediting its chief delegate, it soon became apparent that Congress had erred profoundly.

In February, 1783, the General Assembly of the State passed resolutions indorsing unreservedly Howell's entire conduct. Nor did the indorsement prove to be less hearty in view of the circumstance that for six weeks the celebrated Thomas Paine, with headquarters at Providence, had been pleading eloquently the cause of Congress in the Rhode Island press.

Interest in the congressional debate of 1782 over the impost attaches in a peculiar degree to the individuals concerned. That a professor of natural philosophy should so brilliantly have withstood the embittered opposition of the superb Hamilton and astute Madison can but excite admiration. Hamilton and Madison supported each other and were both supported by Congress. Howell, save for the countenance of his colleague Jonathan Arnold, faced argument and enmity alone. The position of the Rhode Islander at this time was almost exactly that of John C. Calhoun (his intellectual compeer) in 1833, when, unsustained save by South Carolina, Calhoun threatened nullification and incurred the wrath of Andrew Jackson.

Howell was returned to Congress in 1783 and also in 1784. In the latter year, as in 1782, Rhode Island was made the object of attentions the reverse of flattering. Congress in 1783 had again proposed a five per cent duty. It was to be collected by locally appointed officers and to

continue only twenty-five years. But the haste of Rhode Island to sanction the new proposal proved to be no greater than it had been to sanction the old one. Howell opposed sanction in his letters, and what was more, some of the States formerly receptive to the idea of an impost now (influenced by Rhode Island's example) were of a contrary mind. Irritated by the situation, certain of the "young men in Congress" raised in 1784 a question upon the technical sufficiency of the credentials of Howell and his colleagues. After a heated debate, Mercer of Virginia and Spaight of North Carolina both challenged the Rhode Islander to a duel. David Howell — man of commanding physique, aquiline nose, and defiant chin — replied that he meant "to chastise any insults that he might receive," and laid the communications before Congress. In 1784 Annapolis, Maryland (a town said to have been without a single house of worship), was the temporary seat of Continental government. Social life there was of the gayest — a life of card-playing, the theatre, "balls, concerts, routs, hops, fandangoes, and fox hunting." Upon it all Howell, as a man with New England conscience, turned disdainfully his back.

But the uncompromising hostility of Rhode Island to an impost was beginning to give way. The cause was commerce. Hitherto when asked: "How are the United States to meet their debts?" Rhode Island's reply had regularly been: "By the

proceeds of the public lands." Now conditions were a good deal changed. In July, 1783, Great Britain had put in operation a plan of discrimination against the extensive trade of New England with the British West Indies. English manufactured goods, too, were flooding the New England market. A tariff of some kind was demanded for self-preservation. What was to be done? Clearly one thing only, and that was to invest Congress with power to regulate commerce — in other words, to establish a uniform impost. This power Rhode Island with many qualms, but screwing its courage to the sticking point, granted in February, 1786.

There can be little doubt that the exaltation of particularism between 1782 and 1785 by David Howell laid the foundation for some of Rhode Island's extreme distrust of the Federal Constitution of 1787. The instrument would have been distrusted by Rhode Island in any event, but Howell supplied an arsenal of controversial weapons against it.

Hostility to the Constitution, though, came from a source different from that whence had come hostility to the impost. The enemies of the impost had been the merchants. They had feared its effect on trade. Toward the Constitution — an instrument largely designed to protect trade — an instrument the outcome in fact of the recommendation of a convention called in 1786, at the instance

of Virginia, to deliberate upon trade — the merchants were hospitably inclined.[1]

[1] PROVIDENCE, May 11th, 1787.

Gentlemen,

Since the Legislature of this State have finally declined sending Delegates to meet you in Convention for the purposes mentioned in the Resolve of Congress of the 21st February, 1787, — the Merchants, Tradesmen, and Others of this Place, deeply Affected with the evils of the present unhappy times, have thought proper to communicate in writing their approbation of your Meeting, And their regret that it will fall short of a Compleat representation of the Federal Union. —

The failure of this State was owing to the nonconcurrence of the Upper House of Assembly with a Vote passed in the Lower House, for Appointing Delegates to attend the said Convention, at their Session Holden at Newport, on the first Wednesday of the present Month. —

It is the General Opinion here, and we believe of the well informed throughout this State, that full power for the regulation of the Commerce of the United States, both foreign and Domestick, ought to be vested in the National Council. And that Effectual Arrangements should also be made for giving operation to the present powers of Congress in their Requisitions upon the States for National purposes. —

As the object of this Letter is chiefly to prevent any impressions unfavourable to the Commercial Interest of this State, from takeing place in our Sister States, from the Circumstance of our being unrepresented in the present National Convention, we shall not presume to enter into any detail of the objects we hope your deliberations will embrace and provide for, being Convinced they will be such as have a Tendency to strengthen the Union, promote Commerce, increase the power, and Establish the Credit of the United States.

The result of your deliberations, tending to these desirable purposes, we still hope may finally be approved & adopted by this State; for which we pledge our Influence & best exertions. —

This will be delivered you by the Honourable James M. Varnum, Esquire, who will communicate (with your permission) in

It was on February 21, 1787, that Congress resolved for a convention of delegates to be held on the second Monday in May, at Philadelphia, to so modify the Articles of Confederation as to render them "adequate to the exigencies of government and the preservation of the Union." In this convention by the end of June Rhode Island alone among the States was unrepresented. To Rhode Island itself the fact gave little concern. The State was under the control of the traditional separatists, the agriculturalists, and their indifference to Federal affairs had been evinced the year previous in the case of James Manning, President of Brown University, whom they had sent to Congress and then left (as Roger Williams had once been left in England) without money wherewith to hire even a barber or to keep from a debtor's prison.

But on all sides a storm of criticism was begin-

person, more particularly our Sentiments on the Subject matter of our Address.

In behalf of the Merchants, Tradesmen, &c,

We have the Honour to be, with perfect Consideration And Respect,

Your most Obedient and
Most Humble Servants,

John Brown,	Jabez Bowen	Comtee.
Jos. Nightingale,	Nichos. Brown	
Levi Hall	John Jenckes	
Phillip Allen,	Welcome Arnold	
Paul Allen	William Russell	
	Jeremiah Olney	
	William Barton	
	Thos. Lloyd Halsey	

Pub. R. I. Hist. Soc. vol. ii, p. 169.

ning to descend. Massachusetts (true to the policy of Winthrop) was for "appropriating Rhode Island to the different States that surround her." Washington stigmatized "her public councils" as "scandalous." Madison spoke of the "wickedness and folly that reigned." Even Varnum denounced those responsible for the local apathy and obstinacy as "destitute of education and void of principle." At last, in September, 1787, after the General Assembly had thrice refused to appoint delegates and two days before the great convention at Philadelphia adjourned, the State dispatched a letter to the President of Congress in explanation of its course. Allusion was made to "our being diffident of power." But the main excuse was the shifty one that the freemen and not the General Assembly were the only body by which delegates might be appointed.

Before the month of September expired the Constitution was submitted to the several States for ratification, and Rhode Island found itself confronted by the most serious crisis in its history since the days of "boundaries." The new instrument was to go into effect upon ratification by nine States, and any State that chose not to ratify must face the prospect of an existence uncommiserated without the pale. The step first taken was to refer the instrument to the towns, and with the reference there began discussion. On January 28, 1788, a writer in the Newport "Mercury" gave warning: "If you adopt the proposed Constitution, you

will subject yourselves to a government where you will be totally unprotected by a bill of rights. . . . Your Federal Senate is to be in place for six years, and senators, by reason of their importance and of their participation in executive power, may make themselves in effect absolute." The communication (one marked by undeniable foresight) concluded with a statement that under the Constitution the Federal Supreme Court might issue execution against a State in a case where a State was a party.

To these strictures a contributor signing himself "A Rhode Island Man" replied on February 25. As for the exercise of absolute power by the new government, what, he asked, could exceed for absoluteness the power habitually exercised by the Rhode Island General Assembly? The Constitution, indeed, was like a new house built to be tenanted by a large family. Each member found some fault with it: it was not large enough; the windows were upside down; the doors were so contrived [an allusion to the purely secular character of the instrument] that a Turk might go in and out as freely as a Christian; or it should have been round, three-sided, or twelve-sided, — one side toward every State except Rhode Island. Servants, too [representatives and senators], must be hired for two and six years, — long periods. A better plan would have admitted of their being hired afresh every morning. Worse than all else, the

inmates would be obliged to furnish their own provisions. It ought to have been so devised that they might be supported "by manna or by quails."

The result of the reference of the Constitution to the towns (a result intensified by abstention from voting on the part of many) was rejection by a great majority. Agitation then (March, 1788) was begun for the holding of a constitutional convention. The General Assembly thrice refused to call a convention, and by July 26 New York had ratified and the Constitution was in effect beyond all controversy. Where now was Rhode Island? Along with North Carolina (the Rhode Island of the South) it was upon its own by no means superabounding resources. In November, 1789, its isolation was made still more pronounced by ratification by North Carolina. Meanwhile the State had four times more refused to call a convention, and had dared even to hint at a foreign alliance.

What at length, in 1790, turned the current in the little but resolute commonwealth in favor of the Constitution was what in 1786 had turned the current there in favor of a Federal impost, namely, commerce. On the accession to the Union of New Hampshire, the ninth State, Providence (now rather than Newport the commercial centre) had rung its bells, fired its cannon, and held a barbecue; and on the accession of New York it again had indulged in jubilation. When, therefore, in July, 1789, the national House of Representatives passed a tariff

act which made no exemption in favor of Rhode Island, Providence was in a position to point to the hurtful consequences. In September the General Assembly indited a letter to the two houses of Congress expressing the hope that "we shall not be altogether considered as foreigners" . . . and that "trade and commerce, upon which the prosperity of this State much depends, will be preserved as free and open between this and the United States as our different situations at present can possibly admit." The olive branch was taken. To Rhode Island there was granted exemption from revenue restrictions until January, 1790.

On the 17th of January the General Assembly by a close vote ordered the calling of a convention. The convention met on March 1 in South Kingstown. Jabez Bowen of Providence and Henry Marchant of Newport led the Federalists, while the Anti-Federalists were led by John Collins and the astute Jonathan J. Hazard of South Kingstown. The principal topic of debate would seem to have been the Constitution and slavery. Nathan Miller of Warren asserted that he had the Word of God in his house, and that it contained nothing against slavery. On the other hand, Colonel William Barton of Providence (he of the Prescott seizure) declared that slavery was contrary to the New Testament. A bill of rights, containing among other things a section condemning the slave trade as "disgraceful to liberty and humanity," was se-

cured by the Anti-Federalists, and at the same time an adjournment was taken to May 24, at Newport.

When the convention reassembled, it did so in the face of yet stronger pressure for ratification. Congress, hampered by the absence of Rhode Island representatives in its consideration of such questions as the location of the Federal capital and the assumption of the State debts, had hinted covertly at coercion. The Senate had even gone so far as to pass a resolution in favor of a bill for severing relations between the United States and Rhode Island, and for demanding of the latter a payment of money on account with the United States. Nor was it Congress alone that exerted pressure. Providence, boldly reverting to ideas current in the age of Roger Williams, threatened, under sanction from Congress, to secede from its connection with the agricultural section and to set up for itself. Wrought upon by the combined influences described, but more than by any other influence by that of fear of commercial isolation, Rhode Island on May 29 ratified the Constitution by the sufficient yet significant majority of two votes.

In his admirable monograph, "Rhode Island and the Formation of the Union," Dr. Frank G. Bates deplores the lack at this time in his native State of competent popular leaders devoted to Federalism. South Carolina had its Pinckneys and Rutledges; Massachusetts its Ameses and Kings; Virginia its Madisons and Marshalls; New York its Alexander

Hamilton. Rhode Island had no one. Invaluable would have been the leadership of a Stephen Hopkins. The Nestor himself — friend of organic union in America since 1764 — had only in 1785 passed away, but no successor was at hand. James Varnum had in 1788 removed to the Northwest Territory. As for David Howell, he (had he come forward) presumably must have done so against the Union. But he did not come forward. His course in 1786 in *Trevett vs. Weeden* had alienated from him the agriculturalists, and henceforth his time and thought were devoted wholly to jurisprudence.

The stability which Rhode Island had gained under the restraints of the Revolution was augmented under the milder restraints of the Federal bond, and soon the towns began to turn their glances backward to commerce and forward to manufactures.

CHAPTER XIII

DECLINE OF COMMERCE AND ESTABLISHMENT OF MANUFACTURES

Slave Trade and Commerce at Newport and Bristol — Moses Brown and the Cotton Industry at Providence — John Brown and the East India Trade — The Barbary Corsairs — War of 1812 — Samuel Slater — Political Conditions — Visits of Talleyrand and Lafayette.

It was Providence that directed its glances both forward and backward. Newport looked only backward.

In 1779, when the British evacuated Newport, they left it a shadow of its former self. Pigot, withdrawing within his lines before the advance of Sullivan, had burned houses and hewn down groves. The compact part of the town, too, had suffered. On May 31, 1780, Dr. Stiles wrote: "About three hundred dwelling house I judge have been destroyed. The Town is in Ruins. But with Nehemiah I could prefer the very dust of Zion to the Gardens of Persia, and the broken walls of Jerusalem to the Palaces of Sushan. I rode over the Isle and found the beautiful Rows of Trees which lined the Roads, with sundry coppices or groves & Orchards down and laid waste; but the

natural Beauties of the Place still remain. And I doubt not the place will be rebuilt & exceed its former splendor." [1]

A final and irreparable piece of mischief was worked by the departing loyalists. They carried away with them to New York the town records. These through the wrecking at Hell Gate of the transporting vessel were submerged for a time in salt water. Upon the request of Washington, they were recovered by Sir Guy Carleton and restored; but they were almost undecipherable, and long remained a reddened mass ready to crumble at the touch.

At the close of the Revolution Newport cast

[1] "I have seen not a little of other countries, but I never saw any Island that unites finer views, rendered pleasant by variety of hill & vale, rocks, reefs, beaches, Islands & perennial ponds than this. . . . Before the discovery of our mineral springs, Rh. Island was in one view the Bath of the American world. . . . This and the Redwood Library gave it both a literary & a genteel air; and rendered it the best bred society in N. England. But — alas! — how changed! The British destroyed, for fuel, about 900 [?] buildings, of [to] be sure the poorer sort; yet it has never recovered the dilapidation. The town of Providence has risen to riches & elegance from the ruins of this once beautiful spot; while Newport resembles an old battered shield — its scars & bruises are deep and indelible. Commerce, & all the Jews are fled. The wharves are deserted & the lamp in the synagogue is extinct; and the people are now so poor, that there are not more than ten, or a dozen people who would have the courage to invite a stranger to his table." — Benjamin Waterhouse, Letter to Thomas Jefferson, September 14, 1822. *Pub. R. I. Hist. Soc.* vol. ii. See also Brissot de Warville, *Pictures of R. I. in the Past*, edited by Gertrude S. Kimball.

back a longing glance in particular upon the slave trade. It was in this trade that the town had grown rich, and to this trade that it was most attached. Difficulties, however, were accumulating in the way of it. The Rhode Island law of 1774 prohibiting the importation of slaves gave little concern. So did the law of ten years later providing for local emancipation. But in 1787 participation by Rhode Islanders in the foreign slave trade was forbidden; and in 1794, 1800, and 1803 the Federal Congress passed laws amounting, when taken together, to a prohibition of the foreign slave trade to all American citizens, and also of the domestic trade wherever forbidden by local law.

Under these conditions embarrassment for the slave traders was relieved by the action of South Carolina. That State in 1788 had forbidden slave importations. The law had failed of enforcement, so in 1803 it was repealed. Straightway Rhode Island began sending to Charleston great numbers of slave ships. Between 1804 and 1807 Great Britain, France, Sweden, Massachusetts, Connecticut, Maryland, Virginia, and South Carolina all availed themselves of the open slave port of Charleston; but none of them (Great Britain and South Carolina excepted) to the same extent as did Rhode Island. Of the 202 vessels entered at Charleston during the years indicated, three were from France, one was from Sweden, one from Massachusetts, and one from Connecticut; four were from Maryland,

and two from Virginia. On the other hand, seventy were from Great Britain, sixty-one from South Carolina, and fifty-nine from Rhode Island.

The zeal of Newport in the post-Revolutionary slave trade and at the same time the comparative indifference of Providence to that trade come out clearly in the correspondence of the day. On August, 17, 1789, Samuel Hopkins wrote from Newport to Moses Brown: "The combined opposition to a suppression of the trade in slaves is so great and strong here that I think no anti-slavery committee formed in this town would be able to do much." And in 1791 (December 5) William Ellery, himself a Newporter, wrote: "An Ethiopian could as soon change his skin as a Newport merchant could be induced to change so lucrative a trade as that in slaves for the slow profits of any manufactory."

It is true that in 1807 Congress, availing itself of a provision of the Federal Constitution, passed an act forbidding absolutely and for the whole country any further importation of slaves. But before the act went into effect (to say nothing of what took place afterwards)[1] the example of slave-

[1] Bristol, August 20th, 1816.

Mr. Obadiah Brown

My Esteemed Friend, — The impunity with which prohibited traffic is carried on from this Place, has for some time rendered it the occasional resort of many violators of commercial law from other Places, as well as the constant residence of others. The African slave-trade is the one of this description now most

trading Newport had been followed by the energetic town of Bristol.

In 1744, when Simeon Potter was making his

successfully and extensively prosecuted. Such is the number, & more especially the *character* of those concerned in it, that I should consider myself as incurring some personal hazard if I did not know that you heartily abominate the odious trade, and would make no disclosure to the injury of one who would only wish its complete prevention. I do not know that it is possible to effect this, but the facts in relation to this subject can be considered by those capable of determining.

Cargoes suited to the American market are procured here & taken on board vessels suited to the business and cleared for Havana [*sic*]. The Master there effects a nominal sale of vessels & cargo to a Spaniard, takes on board a Spanish nominal Master & proceeds to Africa. A power of Attorney to effect the sale is always prepared here before sailing. When the vessel has made one voyage she can proceed on another without returning to the U. S. A cargo is usually sent out to her to Havana. There are several now out that have performed several voyages since they first sailed from here. There is one now laying here ready for sea called "The General Peace of Providence," lately owned wholly by Joseph Sanders of that Place, Thomas H. Russell of this Town, Master & Attorney to effect the pretended sale. *I* wrote his Power of Attorney. Bills of sale of parts of the vessel have been given here: But the whole is to be covered under a Spanish name. The [*sic*] even speak familiarly of their destination, & one against whom I had a demand boldly told me I must wait till he could go & catch some black-birds.

By such stratagems as these, hundreds of that unhappy race are now annually torn from their homes and doomed with all their posterity to West India Slavery. Can the Friends of humanity do nothing to prevent so outrageous an evil?

In the number of those concerned in this business are some of my personal Friends, and many from [*sic*] I derive a portion of my business & support. My feelings revolt from the idea of inflicting the vengeance of the law on the first, and policy (which

cruise along the Spanish Main to the distress of gentle Father Fauque of Oyapoc, there was with him as supercargo Mark Anthony DeWolf, a young man of Guadeloupe. De Wolf married Potter's sister, settled at Bristol, and became the father of a famous seafaring progeny — James, Charles, and John De Wolf. James, who was born in 1764, achieved in the early years of the nineteenth century great wealth in the slave trade, and in 1820 became a United States senator. Ten of the fifty-nine slavers employed by Rhode Island between 1804 and 1807 were owned, ship and cargo, by James De Wolf. Indeed, as between Newport and Bristol during this interval, honors in respect to the slave traffic were almost evenly divided. Seven thousand nine hundred and fifty-eight negroes were carried to Charleston in Rhode Island vessels. Of

circumstances oblige me to consult) ought to restrain me from an open participation in the punishment of the others. I think if you at Providence were to write and talk more on the subject, to advertise a determination to prosecute, & thus at least evince your knowledge of the existence of facts, you might do some good. Humane laws, used in the spirit of humanity, ought not in their execution to bring disgrace on any but their violators, but such is the depraved judgment of the multitude, that to tell of crimes is almost as odious as to commit them, & I request you not to disclose that any of the facts herein stated come from me.

I am Sir —

Your Frd. &c.

[Signature cut out].

N. B. — Edward Mason of your Town is concerned with Sanders.

Pub. R. I. Hist. Soc. vol. vi, p. 226.

these nearly 3500 were carried in vessels from Newport, and about 3900 in vessels from Bristol. Providence vessels carried just 556.

Newport looked back with longing upon the slave trade. It also looked back with longing, though in less degree, upon the vanished Mediterranean and Levantine trade of the Hebrew merchant Abraham Rodriguez Rivera. This trade, or rather trade of a kind akin to it, was now to be undertaken by men who were not only residents of Newport but natives of America — Mr. George Gibbs and Mr. Walter Channing, constituting the firm of Gibbs & Channing, and Mr. Christopher Champlin and Mr. George Champlin, constituting the firm of Champlin & Champlin. Between 1790 and 1812 both houses dealt largely to Sweden and St. Petersburg for iron; to Java for coffee; to Canton for teas, nankeens, and silks; and to Antwerp, Malaga, Barcelona, and Leghorn for miscellaneous commodities. In 1810 the tonnage of Newport was 12,517, only 3347 less than that of Providence. At this period, too, the trades of ship-building and whale-catching had been much revived. A leading position with regard to both was taken by the town of Warren.

For the commercial decline of Newport, as also for that of Bristol and Warren, there may be assigned four general causes: foreign interference (after 1793) with American ships; the American Embargo Acts of the years 1807 and 1809; the

War of 1812; and the introduction of railroads. Providence felt the operation of the same causes, but was able to betake itself to manufactures. To Newport no such course was open. There was on the island of Rhode Island no brawling Blackstone nor swift Pawtuxet — in a word, no water-power; and when the sea as a field of activity failed the islanders, naught was left them but to quit forever the spot of their affections, or, putting their savings at interest, to live in the memory of the stirring past.

Newport had early been the resort of wealthy English planters of the West Indies and Carolinas — the Redwoods, the Pinckneys, the Rutledges, and the Haynes. After 1840 it became increasingly the resort of the people of Charleston. Its attractions were its salubrious climate, the wide ocean prospect from its cliffs, and its extensive bathing beaches. Then, too, there was about it a delightful historic afterglow. Nobody there was very busy now. The shipping — huge East Indiaman and small trim slaver — had disappeared. The wharves and slave-pens were falling to decay. No Red Rover lay mysterious in the outer harbor. But local circles were charged with anecdotes of many a slaver and many a rover; and the local spinster, proud of the claims of long descent, was proud also to produce for the benefit of those sufficiently accredited the heirloom London gown, the heirloom invitation to the Washington-Rochambeau

ball, or the heirloom set of priceless "china" from Canton.

Nor yet in other ways did latter-day Newport fail in suggestiveness. The gentle and flower-like genius of Edward G. Malbone — a natural son of John Malbone the merchant magnate — served to re-create a Berkeleyan atmosphere in art. Born in 1777, Malbone painted miniature portraits unmatched for loveliness, and died at the age of thirty. But in no son of Newport, perhaps — whether of a latter day or a former — was the Berkeleyan or idealistic element fundamental in Rhode Island character brought to such perfection as in William Ellery Channing. On the 9th of May, 1773, Dr. Ezra Stiles made entry in his diary: "In the eveng I married Mr. William Channing and Miss Lucy Ellery." William Ellery Channing was a fruit of this union. He opposed slavery and forecast Transcendentalism. His death occurred in 1842. After 1840 — the era of railroads — Newport, and with it Rhode Island at large in so far as the latter depended upon the sea, became an American Venice. It could only look forth helpless upon that element which erstwhile it had been its mission to subdue.

It has been said that Providence at the close of the Revolution glanced forward as well as backward. Its first vigorous glance was unmistakably forward.

On December 2, 1789, nearly six months before

Rhode Island ratified the Federal Constitution, Samuel Slater, a young Englishman of Derbyshire who had been attracted to America by a prospect of advancement in connection with the manufacture of cotton yarn, wrote thus to Moses Brown: "A few days ago I was informed that you wanted a manager of cotton spinning, &c., in which business I flatter myself that I can give the greatest satisfaction, in making machinery, making good yarn, either for stockings or twist, as any that is made in England; as I have had opportunity and an oversight, of Sir Richard Arkwright's works and in Mr. Strutt's mill upwards of eight years." When this letter was received, Brown (the financial stay of the firm of Almy & Brown) had for some time been struggling at Pawtucket with imperfect imitations of the Arkwright patents. "If thou thought," he at once replied to Slater, "thou couldst perfect the machines and conduct them to profit, if thou wilt come and do it, thou shalt have all the profits made of them over and above the interest of the money they cost and the wear and tear of them." Slater came, and his triumph will ere long engage our attention. Meanwhile a word regarding that upon which Providence in common with Newport was casting backward glance — commerce.

In this domain it is our acquaintance John Brown — the brother of Moses — that bespeaks attention. No whit less restive now was John than when we

beheld him upbraiding Sullivan (through Greene) for the failure of the Franco-American movement against the British under Pigot. One of the few Providence merchants to reënter the slave trade, he was a member of the General Assembly in March, 1784, when the emancipation bill was passed; and although instructed by the Providence town meeting to support the measure, he made over it a very wry face indeed. A "shaller policy," he stigmatized it, to prohibit slave holding or to interfere with the lucrative business of slave trading. His course on slavery, like his course in relation to the Continental frigates and in denunciation of Sullivan, was but a variation at considerable moral cost upon the precept, "Put money in thy purse." It is true that in 1787 we find him (under the spur of a desire to enlist in a commercial venture the capital of his brother Moses) actually proposing to quit the "Giney" trade, and urging Moses to enter the General Assembly, where he could work for the suppression of slavery. But in 1797 he became the object of a legal prosecution at the hands of Caleb Greene of Newport for participation in this very trade to Guinea. The same year he wrote to Greene begging him to desist from the suit for the reason that "he had done with the trade now;" yet in 1799, as a member of the lower house of Congress, he did not scruple to proclaim from his seat that all the existing legislation against slavery should be repealed; "for why," he asked, "should

we see Great Britain getting all the slave trade to themselves ? "

The commercial venture of 1787 in which John Brown endeavored to enlist the support of Moses Brown was a voyage to the East Indies. The idea was a bold one. It was only since 1783 that the mariners of Salem, Massachusetts, following a lure which had enthralled Marco Polo, Columbus, and Da Gama, had adventured to the Orient; but Brown, as the affair of the Gaspee had shown, was nothing if not bold. Besides (and this perhaps was the main consideration) the slave trade was now so obstructed by local penal legislation, and the West India trade by British restrictions, that a departure in commerce had become almost a necessity.

As far back as 1782 the historic house of Nicholas Brown & Company had been dissolved, and in its stead there had arisen under Nicholas Brown the house of Brown & Benson, and under John Brown the house of Brown & Francis. Between 1787 and 1807 the latter house, which owned its own docks and yards and built its own ships, employed in the East India trade four vessels, — the General Washington, the Warren, the President Washington, and the George Washington. Of these the largest was the President Washington (950 tons), and all were uniformly successful in their voyages. Outward bound, they made the ports of Madeira, Calcutta, Madras, Batavia, Pondicherry, and Canton. Returning, they touched

at St. Helena, St. Ascension, and St. Eustatia. Their cargoes of anchors, cordage, cannon and shot, bar iron, Narragansett cheese, spermaceti candles, wine, brandy, spirits, and rum were exchanged for tea, silks, "china," cotton goods, lacquered ware, cloves, and flannels, and the profits earned cast those even of slave-trading into the background.

In 1794 Brown & Benson (now Brown, Benson & Ives), stimulated by the success of Brown & Francis, determined likewise to adventure in the East. They sent out (respectively in 1794 and 1798) two notable ships, the John Jay and the Ann and Hope. Both made successful voyages, but both alike (in strong contrast to the vessels of Brown & Francis) led checkered careers ending in disaster. The John Jay on her first voyage (to Bombay and Canton) was caught in a monsoon and lost nearly all her masts and all her sails and spars. She furthermore was scourged by small-pox and narrowly escaped seizure by pirates in the China seas. When finally, in 1796, she got home she brought with her, besides 560,000 pounds of tea, such articles of interest as silks (13 boxes and 14 pieces), umbrellas (2 boxes and 64 single umbrellas), china-ware (138 boxes), fans (3 boxes), quicksilver (2 tubs), sugar candy (2 tubs), preserved fruits (4 tubs), ostrich feathers (610), rattans and canes (1800), one bundle of window screens, one backgammon board, and what not.

The John Jay in 1806 was captured by a British sloop-of-war, and in order to effect her release it became necessary to appeal to the High Court of Admiralty. In 1807 she struck a reef off Pigeon Island (near Java) and went to pieces.

As for the Ann and Hope, her career was varied in the extreme. She was a fast ship, and carried a good armament. In 1798 she sailed for Canton. She stopped at Sydney, Australia, and afterwards at the uninhabited island of Tinian. Here there was discovered, wildly pacing the sands, a Lascar (East India sailor) who had been cast away in a brig manned by whites and East Indians. The whites had been rescued by a passing vessel, but the Lascars had been left to their fate. At length a Spanish slave ship had touched at the island. By this craft the Lascars (all save the narrator) had been carried away in irons. The narrator had escaped by concealing himself in the woods. Subsisting on oranges, cherries, plums, and cocoanuts, — products of the spot, — he had passed his time in solitude and tears, watching for a sail. A man not without parts was this Robinson Crusoe of the Orient, for he spoke English, French, Spanish, Portuguese, and Malay. He was taken to Macao, whence he could ship readily for Bengal. On the same voyage the Ann and Hope fell in with a French privateer, which gave her chase and fired three shots at her. These were returned with emphasis, and the privateer drew off. In 1806, on a

return voyage from the East, the vessel, together with her cargo, was lost on Block Island.

Commodities imported from the East Indies into Providence in 1795 were valued at $311,910; in 1800 at $726,924; in 1804 at $887,000; in 1806 (the year of the loss of the Ann and Hope) at $662,200. The trade lasted until 1841, but its heyday was over by 1807.[1]

The trade of Rhode Island with the East was free from the peculiar embarrassments that beset the slave trade and the West India trade, but it suffered from others common at the time to American trade everywhere. John Brown died in 1803, and before his death the embarrassments spoken of had become serious. Among them after

[1] The registered tonnage of the United States calculated on an average of ten years, 1800–1809, was held in the following ratio compared to population: —

New Hampshire	0.09	tons to the inhabitant.
Vermont	.001	tons to the inhabitant.
Massachusetts	.37	tons to the inhabitant.
Rhode Island	.19	tons to the inhabitant.
Connecticut	.10	tons to the inhabitant.
New York	.13	tons to the inhabitant.
New Jersey	.01	tons to the inhabitant.
Pennsylvania	.10	tons to the inhabitant.
Delaware	.02	tons to the inhabitant.
Maryland	.17	tons to the inhabitant.
Virginia	.03	tons to the inhabitant.
North Carolina	.03	tons to the inhabitant.
South Carolina	.09	tons to the inhabitant.
Georgia	.03	tons to the inhabitant.

Seybert, p. 308.

Quoted by Dr. William Jones in his *Transition of Providence from a Commercial to a Manufacturing Community.*

1793 was (as has been said) interference by foreign powers. Interference was of two kinds — depredations by Barbary pirates and seizures by the British and French (then at war) under the orders and decrees of their respective governments with regard to neutrals.

The Barbary pirates were the same marauding race that in 1680 had taken captive William Harris, the antagonist of Roger Williams. European States had long been paying them tribute, and since 1785 tribute had been accumulating against the United States. It had not sooner been collected, because hitherto the Algerians and Tunisians had been confined by Portugal within the Straits of Gibraltar and so had been unable to lay hands upon American ships. In 1793, through British contrivance, the Portuguese blockade was suspended for a twelvemonth and the pirates flocked out into the Atlantic. In one cruise they captured ten American merchantmen and enslaved one hundred and five citizens.

The news when received at Providence caused the greatest concern. Theodore Foster, one of the United States senators from Rhode Island, was beset with requests to make known what Congress would do. "We can't send out a ship," wrote Welcome Arnold in January, 1794, "without stipulating to redeem the seamen from the Algerines. Will Congress set about building a navy immediately? . . . If Congress must buy peace it can

do it cheaper with a navy building." On the 4th of February the town of Warren, with commendable forethought, wrote asking to be given a chance to build some of the ships for the projected navy. On February 13 George Benson, of the house of Brown & Benson, inquired anxiously: "Why is there no decision on the proposal to equip a small fleet? The season for cutting ship-timber is fast closing, and we learn by an arrival from South Carolina that a vessel from Gibraltar brings authoritative information that the Algerine fleet is refitting and actually means to cruise on our coast next summer." Letters like the foregoing were productive of results. On March 27, 1794, Congress ordered six frigates to be built — among them the ever famous Constitution. Despite the plea of the town of Warren, none was ordered to be built in Rhode Island, yet the State was not permitted to go unrecognized. In June, 1794, Silas Talbot, the hero of the capture of the Pigot galley, was appointed one of six new naval captains.

Rhode Island built neither the Constitution, the President, the United States, the Chesapeake, the Congress, nor the Constellation; in 1798, however, the Federal government purchased from John Brown the Indiaman George Washington. In 1800 (fact humiliating and strange) this vessel under Captain Bainbridge was sent to Algiers as bearer of tribute to the Dey. The story how

the George Washington, as the ship of a tributary nation, was compelled to carry a party of two hundred Algerine envoys to Constantinople that they in turn might render tribute to the Sublime Porte, is interesting, but cannot here be repeated. Suffice it to say, that soon after the return of the ship to the United States, there came an end to tribute — an end which Stephen Decatur, son and grandson of a Decatur of Newport, did not a little to bring about.

Toward the War of 1812 — a contest for commercial rights forced upon America by the Anglo-French wars which had begun in 1793 — the attitude of Rhode Island was peculiar. Its seamen ever and anon were impressed,[1] and between 1804 and 1807 its ships suffered from the British orders-in-council. But the Jeffersonian embargo, imposed in 1807, proved more destructive to its interests than impressment and orders-in-council combined. The measure gave a foretaste of absolute cessation

[1] In May, 1794, the British man-of-war Nautilus put into Newport Harbor for supplies. It became known that there were on board the vessel a number of impressed American seamen. The General Assembly thereupon detained the captain (Boynton) and his first lieutenant until a search could be made. As a result of the search, six men were found who claimed to be American citizens: one from Martha's Vineyard; one from Charleston; one from Boston; one from Georgetown, S. C.; one from Portsmouth, Va.; and one from New York. All were liberated. This probably is the earliest case of resistance by an American government to the British claim of right of impressment. S. S. Rider, *Book Notes*, vol. i.

of trade with Great Britain. When, therefore, in 1812 war with Great Britain was declared, Rhode Island was emphatic in protest. The General Assembly denounced a resort to arms; the town of Providence tolled its bells and lowered its flags to half-mast; Napoleon Bonaparte was denominated an "atrocious murderer and incendiary," and Great Britain was lauded as an "oppressed nation gloriously struggling for the preservation of its liberties." These utterances were supplemented by others more specific. In 1813 Governor William Jones denied the right of the president to summon the militia out of the State, and in 1814 the same official gave warning that "notwithstanding our respect for the law and our strong attachment to the union of the States, there may be evils greater than can be apprehended from a refusal to submit to unconstitutional laws." After such an assertion of particularism as this the State was ready for the Hartford Convention, the initial step toward which it took, and the sessions of which it honored with four delegates.

Rhode Island, although refusing to sanction the War of 1812, furnished in the person of Oliver Hazard Perry of South Kingstown the most picturesque naval hero of the conflict. In 1775 James Wallace, captain of the British frigate Rose, had written to Abraham Whipple: "You, Abraham Whipple, on the 10th June, 1772, burned his Majesty's vessel, the Gaspee, and I will hang you at the

yard-arm," whereupon Whipple had replied: "Sir, always catch a man before you hang him." Perry thus had before him a model of the epigrammatic in a naval dispatch, when, on September 10, 1813, he wrote: "We have met the enemy and they are ours." Another Rhode Island figure of interest in connection with the War of 1812 was James De Wolf the slave trader of Bristol. In 1812 De Wolf put in commission the privateer Yankee. The vessel in three and one half years made six cruises, captured in all forty prizes, destroyed British property to the value of five millions of dollars, and sent into Bristol a million dollars' worth of goods. On the fifth cruise alone the profits were so great that the two negro cabin waiters, Cuffee Cockroach and Jack Jibsheet, received respectively eleven hundred and twenty-one dollars and eighty-eight cents, and seven hundred and thirty-eight dollars and nineteen cents.

It remains for us to follow the fortunes of Samuel Slater. On reaching Pawtucket Slater did three things: he secured lodgings at the house of the Quaker machinist, Oziel Wilkinson; he fell deeply in love with Wilkinson's daughter, the laughing-eyed Hannah; and he inspected carefully the spinning appliances of the factory operated by Almy & Brown. The appliances he pronounced worthless, and he at once set to work to replace them by a full set of machines constructed after the Ark-

wright designs. Models he had none, nor even drawings, for the exportation of these things from England was forbidden under heavy penalties. But he was able to make drawings from memory, and by the aid of them models were constructed. On December 20, 1790, the Almy & Brown factory was newly equipped and ready to start.

By reason of improved machinery, masterly superintendence, and ample capital, the firm of Almy & Brown was successful in producing cotton yarn. As late, however, as 1803 it was the only successful cotton firm in New England. In all the country besides there was but one other cotton firm and that soon failed. What was needed to establish the industry of cotton manufacturing in America was protection against English goods, and this came unbidden and unwelcome with the embargo of 1807 and the War of 1812. The disturbances which were wrecking commerce — carrying Newport down to commercial death and sadly injuring commercial Providence — disturbances which a Providence town meeting on January 28, 1809, denounced as subversive of the natural right of navigating the ocean — these disturbances, unknown to Rhode Island, were preparing the way for its greatest prosperity.

Within thirty miles of Providence in 1805 there were five small cotton factories operating 4000 spindles. In 1815, within the same radius, there were 171 factories employing 26,000 workmen,

operating 134,588 spindles, and consuming annually 29,000 bales of cotton in the production of 27,840,000 yards of cloth. The cessation of the war brought with it the removal of barriers to foreign trade and an influx of English and India cotton goods with a lowering of prices. Thereupon Rhode Island cast in its lot definitely with those demanding a national protective system and supported the tariff of 1816.

To provide the capital for the operating of factories, banks early became indispensable. Between 1817 and 1819 such institutions increased from seventeen to thirty. To connect the numerous small mill villages with Providence — their *entrepôt* and their *dépôt* — good roads early were required. Between 1803 and 1842 thirty-six turnpike companies were incorporated. Mill employees were growing in number, and the problem of education arose. It was met in part in 1796 by Samuel Slater. He established at Pawtucket a Sunday-school at which there were taught the rudiments of knowledge. His efforts were supplemented by those of John Howland at Providence, who as a barber was a member of the Association of Mechanics and Manufactures, a society organized in 1789. By the energy of Howland the General Assembly in 1800 was led to pass an act creating free schools. The act was repealed in 1803, and no other was passed until 1828.

In illustration of the transition in Rhode Island

from commerce to manufactures there may be cited the case of the great commercial house of Brown & Ives, formerly Brown, Benson & Ives. As late as 1828 this house was commercial, although manufactures largely concerned it. To guard its commercial interests it joined in a petition to Congress against the tariff of 1828, a measure which bore heavily on hemp, sail-cloth, iron, and molasses. But in 1834 Edward Carrington, Wilbur Kelley, Nicholas Brown, Thomas P. Ives, Moses Brown Ives, John Carter Brown, and Robert H. Ives formed the Lonsdale Cotton Company, and soon afterwards the house which had sent forth the John Jay and the Ann and Hope sold its last ship and ceased to tempt fortune on the sea.

Commerce in Rhode Island having been supplanted, the fact was not long in pointedly disclosing itself. The magnate now was no Wanton (William or John) or Godfrey Malbone eking out privateering with mercantile adventuring. The magnate of this order had been swept as ruthlessly into the realm of anecdote as earlier had been swept into the same realm the William Harrises, the William Coddingtons, and the William Brentons of the order of agriculture. Now the magnate was a less picturesque but more ample and utilitarian figure — the cotton-mill owner. Such was William Sprague the son of the founder of the family of Sprague, and such was William Sprague the grandson. Under the firm name of "A. & W. Sprague,"

the Spragues junior owned and administered possessions princely in extent and magnitude in the valley of the Pawtuxet. William, the son of the founder, became governor of Rhode Island in 1838 and United States senator in 1842. William, nephew to the latter, became governor in 1860 and United States senator in 1863.

The period of fifty years dealt with in the present chapter is noteworthy in Rhode Island history for the gubernatorial administrations of Arthur and James Fenner, father and son. Arthur held office continuously from 1790 to 1805, and James continuously from 1807 to 1811; an interval as a whole comparable with that during which Samuel Cranston held the same office a century earlier, or with that during which the office was held by various members of the Wanton family. The Fenner administrations were coincident largely with the administrations of Washington,[1] Adams, Jef-

[1] The topics of national politics which were of special interest to Rhode Islanders at this time were the location of the national capital and the assumption of the State debts. Of almost equal interest was the matter of appointments to Federal office. Washington, who in the other States ignored party considerations, in Rhode Island (because of the obstinacy of that commonwealth in withstanding the Union) paid attention to them. Arthur Fenner, Jabez Bowen, Henry Marchant, William Ellery, John Collins, William Channing, John Carter, and many others were applicants for favors. — J. F. Jameson, "The Adjustment of Rhode Island into the Union in 1790," *Pub. R. I. Hist. Soc.* vol. viii; Gaillard Hunt, "Office Seeking during Washington's Administration," *Am. Hist. Rev.* vol. i.

ferson, and Madison. Under Washington and Adams Rhode Island was Federalist. The treaty of Jay with England and the resistance to French spoliations were favorable to the interests of the State as a commercial community. Under Jefferson the Republicans gained control, but under Madison they lost it because of their advocacy of the War of 1812. After the rise and development of the protective tariff issue the State became Whig.

But not thus alone is our period one of note. In 1790 the Providence Society for Promoting the Abolition of Slavery was chartered. In 1799 resolutions were passed by the General Assembly condemning the Virginia and Kentucky Nullification Resolutions. In 1822 the Rhode Island Historical Society was founded. Between 1831 and 1837 there took place an anti-Masonic agitation, and in 1835 the Boston and Providence Railroad was opened.

The Abolition Society of 1790 owed its existence to Moses Brown and "College Tom" Hazard of South Kingstown; but associated with these leaders were David Howell, Arthur Fenner, and Samuel Hopkins; and Jonathan Edwards was associated by correspondence. Over the anti-Nullification resolutions of 1799 one pauses amazed at the irony of Time in his revenges. In 1798 Virginia had declared: "In case of a deliberate, palpable and dangerous exercise of . . . powers not granted

[to the Federal government], the States . . . have the right and are in duty bound to interpose for arresting the progress of the evil." In 1815 Rhode Island, through its governor (William Jones), indorsed the report of the Hartford Convention, a report which said: "In cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State and the liberties of the people, it is not only the right but the duty of such State to interpose its authority. . . . When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States which have no common umpire must be their own judges and execute their own decisions."

With the mention of some interesting names the present chapter may be dismissed. Between 1787 and 1824 Rhode Island was visited by the travelers J. Hector St. John de Crèvecoeur, J. P. Brissot de Warville, and the Duc de La Rochefoucauld-Liancourt; and by the statesmen Talleyrand and the Marquis de Lafayette. Talleyrand came in 1794, and he alighted at Newport. He tarried several weeks, received no letters, asked no questions, paid his reckoning and went his way. Why had he come? Mr. George Champlin Mason, writing in 1884, conjectured that Talleyrand's "Memoirs" when printed might solve the little mystery. The "Memoirs" at length have been printed. Is the mystery solved? As for the Marquis de Lafayette, his coming,

which made memorable the year 1824, was to renew associations of the time of D'Estaing. Nor are the names here to be mentioned exclusively foreign. They include Elisha Potter and Benjamin Hazard, members of the General Assembly, and Tristam Burges, the "bald eagle" of the national House of Representatives. Pitted in many a contest against John Randolph of Roanoke, Burges proved himself a doughty defender of Rhode Island's bulwark, the protective tariff system.

Yet of all the names of our period those which chiefly are of interest are John and Moses Brown. John established trade with the Orient. Moses established the spinning of cotton yarn.

CHAPTER XIV

THE DORR REBELLION

Suffrage and Representation — Thomas W. Dorr — Rival Conventions and Governments — Dorr the Fanatic — *Luther vs. Borden* — National Party Politics.

ORIGINALLY in the four Rhode Island towns the suffrage was coupled with the freehold. The adjustment was agricultural, and so long as the towns remained agricultural it was natural. When, however, Rhode Island life expanded, when to agriculture there was added commerce, and when to commerce there were added manufactures, a readjustment was required; one that would admit to a share of power the newer element in the body politic — the artisan class as distinguished from the class that was land-owning. Readjustment the freeholders (powerholders) for over fifty years refused to grant. Their close corporation based upon property they guarded from profanation as jealously as had the Puritans their close corporation based upon religion. In Massachusetts it took a revocation of charter to get rid of religious exclusiveness. In Rhode Island it took a rebellion — a rebellion of the unifying present against the separatist past — the rebellion headed by Thomas

W. Dorr — to get rid of the exclusiveness of proprietaryism.

The movement which culminated in the Dorr revolt was directed principally against the restriction on the suffrage, but it also was directed against inequality of town representation in the General Assembly. Both grievances were grounded in the actual constitution of the State: the suffrage grievance in the rule of freehold qualification expressed in the statute of 1724, and the grievance as to representation in the apportionment provision of the Charter of 1663.

Of the two grievances that in respect to representation was the earlier felt. Providence by the close of the Revolution had so gained in population as to be entitled to the same representation as Newport. As a matter of fact, it was represented by four assemblymen or deputies, and Newport by six. In 1791 a commencement orator of Brown University alluded to Rhode Island as possessing no constitution or political compact entered into by the people, and described the charter as an old musty document from Charles Stuart. The antiquity of the charter would have weighed little at this time had not the feature of inequality of representation been joined to the feature of age. It was in relation to State taxation that the inequality feature was most complained of. In 1796, therefore, Providence issued a summons for a convention of towns to take into consideration

the question of forming a "written" State constitution. Eight northern towns responded, and in October the General Assembly appealed to the towns as a body for instructions regarding a constitutional convention; further than this no result was attained.

Providence, nevertheless, was in earnest. In 1797, one of its citizens, Colonel George R. Burrill, delivered a Fourth of July oration. In it the declaration was made that "equal representation is involved in the very idea of free government." But how was such representation to be obtained in Rhode Island? To petition the legislature for it would, the speaker said, be to "require the powerholders to surrender their power, — a requisition which it is not in human nature to grant."

The only course left was to ignore the legislature and to form a constitution without its aid. Thomas W. Dorr had not been born when the Burrill oration was delivered, but what forty-four years afterwards he did was in full consonance with it. The legislature was ignored and the people in their primary capacity were invoked to act.

Between 1797 and 1829 at least one attempt (1811) was made to secure through the legislature an enlarged suffrage, and at least five attempts were made (1799, 1817, 1821, 1822, and 1824) to secure through a new constitution a

more just legislative apportionment. None of the attempts were crowned with success. The General Assembly indefinitely postponed the measures of 1811 and 1817, and those of 1821 and 1822 (which, together with the measure of 1817, were resolutions that a constitutional convention be called) were defeated at the polls. The attempt of 1824 brought about the submission of a constitution for acceptance or rejection, but rejection was the fate encountered. Under the instrument rejected Newport would have lost one assemblyman and Providence (now far larger than Newport) and other northern towns would have gained one. The scheme had been devised to please all the towns; it pleased none.

With 1829 the movement for constitutional reform in Rhode Island became distinctly a movement for enlarged suffrage. Providence had risen in population from 11,745 souls in 1820 to 15,941 in 1825, and of these a large fraction were mechanics and cotton-mill operatives, — men who were not owners of land and who could not vote, yet who regarded exclusion from the franchise as more or less of an injustice. Petitions in relation to the suffrage were presented in the lower house of the General Assembly on behalf of the unenfranchised in the towns of Providence, North Providence, Bristol, and Warren. The petitions were referred to a committee of which Benjamin Hazard was chairman, and by that committee were

somewhat contemptuously dismissed.[1] At this time Thomas W. Dorr was twenty-four years old. He was the son of Sullivan Dorr, a successful Providence manufacturer, and as such had received a careful education. From Phillips Exeter Academy he had gone to Harvard College. There he had been graduated in 1823. Afterwards he had studied law with Chancellor Kent of New York, and now was a respected and rising man practicing his profession in his native town. Just how much of a Tiberius Gracchus, revolving in his ardent mind the lot of the downtrodden in Rhode Island, Dorr may have been prior to 1833 (the year of his election to the General Assembly), we do not know. That by nature he was a reformer, an idealist, we are led to surmise. Among his early legislative acts were a bill (which became law) in favor of poor debtors, and a protest against interference with the Abolitionists. His first unequivocal revelation of himself, however, was in an address to the people of Rhode Island issued in 1834. In that year a convention of northern towns was held at Provi-

[1] "The committee have not thought it necessary to inquire particularly how many of the signers are native citizens of the State, but they are sufficiently informed to be satisfied that a very great proportion are not so, and it is ill calculated to produce a favorable opinion of their qualification . . . that persons who have adventured, and are every day adventuring among us from other States or countries, to better their condition; who enjoy, in common with ourselves, all the protection and benefits of our equal laws, *and upon whose departure there is no restraint;* should still be restless and dissatisfied," etc.

dence "to promote the establishment of a state constitution," and Dorr was selected to voice to the world the convention's purpose.

What constitutionally was the condition of Rhode Island in 1834? The suffrage was restricted to such as were owners of land, or were the eldest sons of owners of land, of the value of one hundred and thirty-four dollars: that we know. Representation in the General Assembly was altogether unequal: that also we know. But there was a further anachronism. The General Assembly persisted in arrogating to itself judicial functions — a proceeding rendered easier by the usage under the charter of an annual election of judicial officers.

In point of ability Dorr's address was worthy of his Harvard training. It was perspicuous and temperate and it dealt with each of the several elements of injustice in the Rhode Island system: with the narrow suffrage, the unequal apportionment, and the dependent judiciary. The author's conclusion — in the light of the provision of the Federal Constitution guaranteeing to each State a republican form of government — was that in Rhode Island the form of government was not republican and should be changed. But in reaching his conclusion he, as an idealist, advanced one radical, one revolutionary, doctrine: namely, that the suffrage was in no sense a political privilege but a native and natural right. It is important

that Dorr's advocacy of this doctrine be borne in mind, for upon it in a short time his personal fortunes and those of his supporters were wrecked.

The plea of Dorr for a constitution was productive of no considerable effect. Time sped and there was reached the year 1840. By that year Providence had increased in population until it numbered 23,172 souls. Warwick, Smithfield, Cumberland, North Providence, and Bristol had also increased heavily in population. The newcomers, both American and foreign, sympathized with the ideas of the Dorrites or Constitutionalists in favor of an enlarged suffrage, and through their interest and support agitation was renewed. In January, 1840, an "Address to the Citizens of Rhode Island," printed in New York, was widely distributed; in March "The Rhode Island Suffrage Association" was formed; and in November there appeared in Providence a suffrage newspaper, the "New Age."

"Our first appeal," the Suffrage Association declared, "is to heaven for the justice of our cause. Next to the whole people of Rhode Island . . . through the medium of the ballot-box. Next to the General Assembly of the State. These failing, our final resort shall be to the Congress of the United States . . . and if need be to the Supreme Judicial Power to test the force and meaning of that provision in the Constitution, which guarantees to every State in the Union a republican form

of government." Neither by Dorr nor any other suffragist in 1840 would it seem seriously to have been contemplated that, in seeking to set up a government opposed to that of the charter, force might have to be employed, and that in a conflict between a government *de jure* and the government *de facto*, the *de facto* government would have on its side the immense advantage of organization, regularity, and law, to the ultimate sanctions of imprisonment and death.

In January, 1841, the General Assembly again was appealed to by the suffragists to call a convention to adopt a constitution. The Assembly merely repeated its time-worn tactics. The suffrage question it passed over, and the question of apportionment it resolved to submit for consideration to a constitutional convention to be composed of delegates in the number of members of the General Assembly, and, like them, chosen by the freemen under the existing law. Disgusted with the Assembly's disingenuousness, the suffragists called a mass meeting to be held at Providence on April 17. The meeting was a success. Three thousand men formed themselves in civic procession to march to the State House. Each participant wore a badge stamped with the words, "I am an American Citizen;" and banners were carried displaying the mottoes: "Worth makes the Man, but Sand and Gravel make the Voter;" "Virtue, Patriotism and Intelligence versus $134 worth of Dirt."

At the State House a collation was served and speeches were made by ex-Congressman Dutee J. Pierce and Samuel Y. Atwell — men who as suffragist leaders stood next in prominence to Dorr himself.

On May 5 a mass meeting was held at Newport, and on July 5 such a meeting for a second time was held at Providence. At the Providence meeting resolutions were passed demanding a constitutional convention and affirming: "We will sustain and carry into effect [the proposed] constitution by all necessary means." On July 20 it was announced that a convention would be held at Providence on October 4. To this convention delegates were to be chosen by the votes (delivered on August 28) of "every American male citizen, of twenty-one years of age and upwards, who has resided in this State one year preceding the election of delegates."

Promptly on the day appointed the suffragist, or, as it now had come to be called, the People's Convention, met. On November 15, after an adjournment, it met again; and by the 18th its work was completed. The constitution which it framed sought to correct the three evils emphasized by Dorr in his address. It extended the suffrage to each white male citizen of the United States, of the age of twenty-one years, who should have resided one year in the State and six months in the town or ward where his vote should be offered. It remedied

the inequitable apportionment, and it removed from the General Assembly the judicial power and the power of pardon. The instrument provided that the vote upon adoption should be taken on December 27, 28, and 29. On these days, accordingly, the vote was taken, and it was large. Thirteen thousand nine hundred and forty-four ballots were cast. Each voter had been instructed to indorse his ballot with the statement that he was a freeman or a non-freeman, as the case might be, and the indorsements disclosed a vote of 4960 freemen and of 8984 non-freemen. On January 12, 1842, the People's Convention reconvened and the returns were canvassed by a duly authorized committee. Estimating the adult males of the State qualified to vote under the People's Constitution at 23,142 (an estimate not gainsaid), the instrument had been adopted by a decisive popular majority. The claim was made that it also had been adopted by a majority of the actual freemen of the State. The final act of the convention was to proclaim the constitution in force and to send a copy of it to the governor to be communicated to the General Assembly.

Meanwhile, what concerning the convention which in January, 1841, had been decided upon by the General Assembly itself? It met on November 1, remained in session two weeks, and adjourned until February, 1842. The truth is that the convention was in sore distress. It did not

know what to do regarding the suffrage. When it reconvened it found the situation to be this: The General Assembly had refused to recognize the People's Constitution, but it had resolved that those whom the Freemen's Constitution might by its terms enfranchise should be permitted to vote upon the question of adoption. Grateful for the cue, the convention on February 19 submitted a constitution abolishing the freehold qualification in the case of citizens of Rhode Island who were native Americans, and rectifying in some degree the unequal representative apportionment. Upon this constitution a vote was taken on March 21, 22, and 23, with the result that it was defeated by the narrow majority of 676.

Driven step by step by the agitation and acts of the suffragists from an attitude of uncompromising opposition to an extension of the suffrage, the General Assembly and its constitutional convention had at length granted substantially what the suffragists demanded. Why, then, was the Freemen's Constitution not adopted? Because, under the advice of Dorr, the suffragists voted against it. Feeling toward the anti-suffragists was bitter, and, moreover, the belief was still cherished that the People's Constitution itself could be put legally, and hence peaceably, into effect.

From a legal standpoint the outlook for the suffragists was not reassuring. Early in March the State Supreme Court unofficially, but none the

less emphatically, let it be known that in their judgment the People's Constitution was wholly illegal, and that any attempt to proceed under it would be treason against the State. A little later (March 25) the chief justice (Job Durfee), instructing the grand jury at Bristol, asserted that the only sovereign people anywhere were the corporate people, that no change of government could anywhere legally be effected save through and by the act of the corporate people, and that if the existence of a new constitution in Rhode Island were affirmed to the Supreme Court of the United States, the question to be answered would not be who voted for it, nor how many, but what right anybody had to vote for it at all. Then, late in March, the General Assembly enacted a law (called because of its ruthlessness the "Algerine Law") which declared all meetings for the election of State officers, other than in accordance with existing statutes, illegal and void. Penalties of fine and imprisonment were prescribed against any and all persons who should assist at such meetings or should accept from them nominations to office. Finally, about the middle of April, a letter from President John Tyler to Governor Samuel W. King of Rhode Island was published, which stated that in case of violence it would be the duty of the president "to respect the requisitions of that government which had been recognized as the existing government of the State through all time past,

until he was advised in regular manner that it had been altered and abolished and another substituted in its place by legal and peaceable proceedings adopted and pursued by the authorities and people of the State."

So far as the views of the State Supreme Court were concerned, Dorr had sought to neutralize the effect of them by circulating in reply a legal opinion signed by nine lawyers of Providence (of whom he was one), asserting "that the People's Constitution is a republican form of government as required by the Constitution of the United States, and that the people of this State, in forming and in voting for the same, proceeded without any defect of law, and without violation of any law."

Under the People's Constitution there was held, on April 18, an election of State officers and of both branches of the General Assembly. Dorr himself was chosen governor, and on May 3 he was inducted into office by a great concourse, civic and military. On the same day the legislature-elect convened in a foundry building and Dutee J. Pierce was chosen temporary speaker of the house. In the presence of the house and senate Dorr delivered his inaugural address. The legislature remained in session two days. It requested the governor to make known to the president of the United States, to Congress, and to the various State governors, the fact of the adoption of a re-

publican constitution in Rhode Island, and passed an act repealing the Algerine Law. Two things of obvious importance the legislature failed to do. One was to take possession of the State House with its records, and the other was to install a new judiciary.

On May 4 the regular General Assembly under the charter met at Newport and Samuel W. King, who had been reëlected governor, was inaugurated. The Assembly then dispatched an appeal for help to President Tyler. A letter to the president was dispatched also by the Dorr government; but not content with a mere letter, Dorr personally set forth for Washington to see the president. On the theory of the People's governor respecting a Federal guaranty of republicanism to the States, the Federal government of course could not do otherwise than recognize the validity of the People's Constitution. Still the president, and likewise the Senate, beset as they were by communications from the charter government, might be misled; hence the journey of Dorr. In Washington nothing was accomplished. The president adhered to the position assumed in his letter to Governor King, and the Senate laid the Dorr papers upon the table. On May 12 Dorr, on his way back from his fruitless mission, was in New York. His view of the suffrage as a natural right, a right so obvious and of such magnitude as to be guaranteed to every American State by the Constitution of the

United States, had in practice utterly collapsed. The People's governor was discouraged, and so frankly avowed himself. He could, he said, do no more; he must hope for an act of amnesty.

Thomas W. Dorr went to Washington a pronounced reformer — a reformer dominated by an idea (as reformers are wont to be) — but not an unrecking fanatic. He returned to Providence a fanatic, not only unrecking but vehement. After May 16 there was manifest in him the rigor and relentlessness of those whose souls, disdainful of prudence, go fiercely marching on.

From his fit of depression in New York the People's governor had been roused by an unexpected and timely proffer of help. Tammany Hall had rallied to his support. Under Tammany guidance he had attended the Bowery Theatre. Under Tammany auspices he had been given a public reception. By Tammany braves and henchmen he had been escorted to the New York pier, whence he was to embark for Stonington. The demonstration last named may be found described in the New York "New Era" as "a vast civic procession which numbered thousands of our most worthy, industrious, and respectable citizens." In the New York "American" the description to be found runs thus: "We never in our lives saw a worse looking set than the governor's escort — the Five Points could not have beaten it at election. The governor sat bareheaded,

looking as grave as an owl. He is a man of nerve and no mistake — any but such a person would have broken down in a fit of laughter at the absurdity of the thing."

On the whole, something more substantial than the memory of a theatre party, a reception, and a procession was carried back by Governor Dorr from New York to Rhode Island. He bore with him a written request from the colonel of the Thirteenth Regiment of New York Artillery and the lieutenant-colonel of the Two Hundred and Thirty-Sixth Regiment of New York Infantry to be permitted to attend him with their respective commands. In Providence three thousand people gathered to welcome him home, and from a carriage he delivered to them an impassioned speech. He declared that in New York he had been promised five thousand men for use against any troops that the government of the United States might send into the State, and by way of emphasizing the point he drew a sword and flourished it. During the absence of Dorr a number of participants in the People's government (Dutee J. Pierce among them) had been arrested by the charter authorities. A warrant had been issued for the arrest of Dorr, but as yet there had arisen no moment favorable for serving it.

Such was the situation when, on the afternoon of May 17, Dorr's followers by command of their leader seized some pieces of artillery. On the 17th,

about midnight, these same followers — a force of perhaps two hundred and thirty-four men with two cannon — set forth under the governor to take possession of the town arsenal on Cranston Street. The structure, a stone building, was held by a guard which refused a summons to surrender, and Dorr at once unflinchingly gave orders to discharge the cannon. They had been tampered with and merely flashed twice without result. It was a foggy night; there was great confusion; alarm bells were ringing; all over the city the militia and citizens were turning out; nobody knew what to expect; nobody knew who was friend or who was foe. Suffice it to say that when day broke Dorr (who in any event was possessed of no military capacity) stood revealed a revolutionary leader abandoned by all save a handful of friends. At eight o'clock a letter was handed to him announcing the resignation of substantially his entire government, and before nine o'clock the People's governor was in flight for Connecticut.

The remainder of May and the greater part of June passed without incident. By June 25 a small force of suffragists had assembled at the village of Chepachet in the Rhode Island town of Glocester, which borders upon the Connecticut line. The spot had been chosen as a safe rendezvous for such sympathizers with the fugitive leader as were willing to fight for him, but only a few had come. Dorr himself, after an inspection of the men, their

poor munitions, scant subsistence, and haphazard fortifications on Acote's Hill, disbanded them and sought again his Connecticut refuge.

Martial law in Rhode Island was proclaimed by Governor King on June 26. Arrests were freely, even indiscriminately, made. The prisons were filled. For the People's governor a reward of five thousand dollars was offered. Nobody came forward to claim it, and requisitions for the fugitive upon the governors of Connecticut and New Hampshire were not complied with. In Providence the occasion was not permitted to go unimproved by the pulpit. On May 22, the Sunday after the attack on the arsenal, Dr. Francis Wayland, president of Brown University, preached an impressive sermon; and on July 21 the Rev. Mark Tucker (Congregationalist) followed Wayland's example. A parallel has been suggested between Dorr with his youth, good birth, unusual education, and superior social position, and Tiberius Gracchus. No such parallel was sanctioned by the Rev. Mark Tucker. In his eyes young Dorr was a young Catiline, talented and mad; or, to make use of the clergyman's own illustration, "a William Lloyd Garrison propagating errors of the worst character, assailing all government, the Holy Sabbath, and the Christian Ministry."

For more than a year Dorr kept aloof from Rhode Island. At length, on October 31, 1843, he came to Providence. He was immediately ar-

rested under an indictment for high treason, and on April 26, 1844, was brought to trial before the State Supreme Court with Chief Justice Durfee presiding. The trial was held at Newport — a place other than that where the crime was alleged to have been committed — before a jury who to a man were, as has well been said, "Algerines and Whigs." Samuel Y. Atwell was the principal attorney for the prisoner, but at the time of the trial he was ill, and Dorr, although assisted by other counsel, conducted in the main his own case. His chief reliance was upon the contention that treason could not be committed against an individual State of the Union. The point in 1844 was more novel than it is to-day. It had not been illustrated by the acts of John Brown in Virginia. The ruling of the Rhode Island court, nevertheless, was that treason against a State was an offense altogether possible, and, under instructions which left nothing to the discretion of the jury, Dorr was convicted. Summing up — with allusion to the capital failure of the suffragist legislature to seize the opportunity open to it in May, 1842 — his own unfortunate career, the prisoner recited the familiar lines: —

> "There is a tide in the affairs of men,
> Which, taken at the flood, leads on to fortune;
> Omitted, all the voyage of their life
> Is bound in shallows and in miseries."

Governor Dorr was sentenced by the court to

imprisonment for the term of his natural life, at hard labor, and in separate confinement. A reaction of sentiment soon set in, and in January, 1845, he was offered his freedom on condition of subscribing to an oath of allegiance to the state of Rhode Island. This offer he proudly declined to accept. In June, 1845, he was unconditionally liberated by act of the General Assembly, and in May, 1851, his civil and political rights were restored to him. On December 27, 1854, he died at the age of forty-nine years.

To the cause of enlarged suffrage, and hence to the cause of human freedom, Dorr made sacrifice of professional and political advancement, of family and social sympathy, and ultimately of life itself. The conclusion is hard to escape that much of this sacrifice was unnecessary. Success he achieved twice, — once when unable to realize that he had done so. The Freemen's Constitution was his work and his triumph. Wrung piecemeal from a reluctant legislature and equally reluctant convention, it was granted at all because of the agitation which he had instigated. In November, 1842, during his absence from the State, practically the same constitution (the one to-day in force) was resubmitted to the people and adopted. Resubmission should not have been required. Had Dorr not been primarily an idealist and doctrinaire, and secondarily a lawyer and statesman, it would not have been required. The reformer in him was his

paradox, his irony. It led him to victory, but so blinded him in the moment of it as to rob his career of symmetry and spoil it by anti-climax.

Divers are the queries to which the Dorr Rebellion gives rise. What, for example, was its relation to Federal law? What was its relation to national party politics?

The first query was propounded in the judicial action, *Luther vs. Borden*, a cause which grew out of the assertion and exercise of martial law by Governor King. Martin Luther, a shoemaker of the town of Warren, had acted as moderator of a town meeting held under the People's Constitution. For this crime (by the Algerine Law it was a crime) the charter government sought to arrest him. The government failed, owing to the fact that Luther had fled to Fall River, Massachusetts, but in searching for him a squad of militia broke open his house and maltreated his family. As a citizen of Massachusetts (which he now claimed to be) Luther, in November, 1842, brought suit in the Federal court against the trespassers, and in January, 1848, the case was heard on appeal before the United States Supreme Court. Whether, as so pertinaciously maintained by Dorr, political power under the Constitution of the United States be vested in the people as a congeries of adult males, or whether it be vested in such of the people only as hold it by preëxisting law, is a point which

in this case was ably dealt with by Daniel Webster, who, with John Whipple, was counsel for the appellees.

"Is it not obvious enough," asked Webster, "that men cannot get together and count themselves, and say they are so many hundreds and so many thousands, and judge of their own qualifications, and call themselves the people and set up a government? Why, another set of men forty miles off, on the same day, with the same propriety, with as good qualifications, and in as large numbers, may meet and set up another government; one may meet at Newport and another at Chepachet, and both may call themselves the people. What is this but anarchy? What liberty is there here but a tumultuary, tempestuous, violent, stormy liberty — a sort of South American liberty, without power except in spasms — a liberty supported by arms to-day, crushed by arms to-morrow. Is that our liberty?"

As for the Dorr Rebellion and national party politics, there is a sense in which at first there was no connection between them. The suffragists were composed of Whigs and Democrats alike. Outside of Rhode Island the movement was given a political bearing through the action of Tammany Hall; action which enlisted for Dorr the lively sympathy of Democrats such as William Cullen Bryant and Samuel J. Tilden. Within the State, Dorrites and Democrats, Algerines and Whigs, became respec-

tively identified after the adoption of the Constitution of 1842. It was by Whigs (chiefly) that Dorr was brought to trial and prison; and it was by Democrats (after a hotly contested gubernatorial campaign) that the People's governor was liberated. Moreover, it was by the Rhode Island Democracy that, in 1844, the national House of Representatives (then Democratic) was led to make an investigation of the "rebellion" in an attempt to discredit the course of President Tyler.

But in a deeper sense the suffrage agitation in Rhode Island owed its inception to national party politics. At this period the Whigs — Daniel Webster, Joseph Story, Chancellor Kent — stood for property as the basis of the suffrage and of the State. The Democrats, on the other hand, — the followers of Andrew Jackson, the man of the frontier, — stood for manhood as the basis. A struggle between these ideas took place in most of the older commonwealths. In Rhode Island the abrogation of the Charter of 1663 and of the Freehold Act of 1724 was a triumph fundamentally of the Jacksonian Democracy. The triumph here, though, was marked by a feature peculiarly its own. In 1854 the General Assembly (still omnipotent) passed an act reversing and annulling the judgment of the Supreme Court rendered against Thomas W. Dorr.

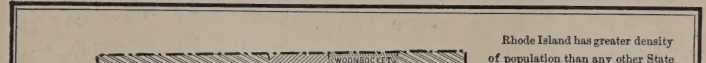
CHAPTER XV

THE CIVIL WAR AND AFTER

From Charter to Constitution — Survivals — Manufactures and Slavery — A Fighting Commonwealth — The Franchise — Corrupt Politics — Reform — Providence and Newport.

THE transfer of government in Rhode Island from officers elected under the Charter of 1663 to officers elected under the Constitution of 1842 was a work of extreme simplicity. On May 1, 1843, the last charter Assembly convened at the State House in Newport. On the following day the first constitutional Assembly convened in the same place, effected an organization, and adjourned. Straightway the charter Assembly reconvened, received a report of the organization of the constitutional Assembly, and adjourned *sine die*.

On May 3 installation of government under the constitution was made the occasion of a celebration by the citizens of Newport. A procession, composed of the incoming and outgoing State officers and assemblymen, the president and members of the State Historical Society, the president and officers of Brown University, and other dignitaries, formed in front of the State House and marched to the North Baptist Church. Here Cap-


Rhode Island has greater density of population than any other State of the Union (407 to the square mile, U. S. Census of 1900), but this population is concentrated about the bay, and mainly about the Providence end of the bay.
WOONSOCKET (28,204) (Fr. Can.)
NORTH SMITHFIELD (2,422) (French Canadians)
CUMBERLAND (8,925)
BURRILLVILLE (6,317) (French Canadians)
LINCOLN (8,937)
GLOCESTER (1,462) (French Canadians)
SMITHFIELD (2,107) (French Canadians)
CENTRAL FALLS (19,247) (Fr. Can.)
PAWTUCKET (39,231)
PROVIDENCE (3,016) (Fr. Can.)
JOHNSTON (4,305)
PROVIDENCE (175,597) (Irish)
EAST PROVIDENCE (9,138) (Irish)
FOSTER (1,151)
SCITUATE (3,361) (French Canadians)
CRANSTON (13,343) (Irish)
BARRINGTON (1,135)
WARREN (4,196) (Fr. Can.)
WARWICK (21,316) (French Canadians)
COVENTRY (5,279) (French Canadians)
BRISTOL (6,901) (Irish)
WEST GREENWICH (606) (French Canadians)
EAST GREENWICH (2,775)
PORTSMOUTH (2,105)
TIVERTON (2,977)
EXETER (841) (French Canadians)
NORTH KINGSTOWN (4,194)
MIDDLETOWN (1,457) (Irish)
NEWPORT (22,034) (Irish)
LITTLE COMPTON (1,132)
RICHMOND (1,506)
HOPKINTON (2,602)
SOUTH KINGSTOWN (4,972) (Irish)
NARRAGANSETT (1,523)
CHARLESTOWN (975)
WESTERLY (7,541)
SO CALLED HEATHEN TOWNS
RHODE ISLAND
POLITICAL AND SOCIALOGICAL MAP
(State Census 1895)
(1) TOWN POPULATION AND REPRESENTATION
Eight Towns 330,030 pop. ---------- Eight Senators
Twenty Towns 40,398 pop. -------- Twenty Senators
---Thirty Towns 98,526 pop.
-------Thirty Senators
(2) Distribution of Irish and French Canadians
Scale of Miles
0 5 10
NEW SHOREHAM (1,396)

tain David M. Coggeshall of Newport (a descendant of John Coggeshall, the first president of Providence Plantations) brought forth the identical box in which the Charter of 1663 had been conveyed across the Atlantic by "Captyne George Baxter," and for the last time the venerated instrument was "held up on hygh and presented to the perfect view of the people." The principal feature of the exercises at the church was an oration by William G. Goddard. The orator — something of a reactionary — extolled the days of charter rule. "Then," proudly declared he, "the men who governed the State owned the State." "Can we pass, my fellow citizens," he asked, "without emotions allied to filial sorrow, from under the beneficent dominion of the old charter — the oldest constitutional charter in the world? — the charter under which "Hopkins and Ellery affixed their signatures to the immortal Declaration of American Independence;" under which "the Rhode Island line stood foremost in fighting the battles of liberty;" under which "this State joined the Confederacy established by the glorious old thirteen;" under which "Rhode Island by the adoption of the American Constitution added the last link to that chain of more perfect union which binds these States together?"

In getting rid (even by help of a Dorr) of a frame of polity sanctioned by observance during one hun-

dred and eighty years, it was well-nigh inevitable that some of the separatism of the age of Roger Williams (when the charter originated) should be carried into the era of the new régime — the era of unification and manufactures. In part what was carried was separatism modified; in part it was separatism intensified. In the continued itinerancy of the General Assembly, in the yet narrow suffrage, in the yet unequal representation, and in the yet anomalous position of the judiciary, there was separatism; but it was separatism of an ameliorated kind. Not for many years had the Assembly been wont to meet at Portsmouth and Warwick, but down to 1843 it had met regularly at some point in each of the five counties of Newport, Providence, Washington, Bristol, and Kent. Now (1854) its meeting places were restricted to Newport and Providence. Hitherto the suffrage had been perquisite to the ownership of a freehold or to the relationship of first born son to one distinguished by such ownership. Now it was open to adult males who were native Americans, with the saving limitation that only the possessors of one hundred and thirty-four dollars' worth of land might vote on questions of taxation. Hitherto representation in the lower house had been the arbitrary device, — six from Newport; four from Providence, Portsmouth, and Warwick; and two from each of the other towns. Now representation was based on population; but membership of the

house might never exceed a total of seventy-two, and to no single town was there to be accorded membership in excess of one sixth of the total. The judiciary hitherto had been slavishly dependent upon the legislature. Now the members at least held office during good behavior and at a fixed minimum remuneration.

Where, under the new régime, an intensification of separatism was to be remarked was in the form of the senate and in the rule for amending the constitution. Under the charter, the upper house had been composed of ten members chosen by general ticket — ten members at large. Under the constitution, senators — after the precedent set in the case of the Federal system — were alloted one to each political unit [town].[1] Under the charter (subsequent to the Revolution) amendment had been obtainable by vote of a simple majority of the qualified people. Under the constitution (in view of

[1] The organization of the Rhode Island senate has found its strongest justification in the argument that in Rhode Island (a diminutive State) it is essential to keep political power in the hands of the rural districts as an offset to the economic power of the growing municipality of Providence (W. P. Sheffield, *The Mode of Altering the Constitution of Rhode Island*, pp. 40–41). One thing, however, this argument overlooks, and that is that in human affairs power of whatever kind should be conceded a due share of political responsibility. The principle, it is true, is not recognized in the organization of the senate of the United States, but the question arises whether a senate for a continental area is a fit archetype for one for an area strictly limited and local. It is not without suggestiveness that even a continental area has its corrupt burroughs — its Nevadas and Delawares.

the results wrought by simple majorities through Thomas W. Dorr) amendment was only to be obtained by vote of the qualified people in a majority of three fifths.

Survivals — the survivals recounted above — constitute the most significant fact in the later history of Rhode Island. It is in the light of them that the politics of the State, both legitimate and debased, are to be understood. One after another they have yielded to the power of the uncongenial age into which they have been brought; but they have yielded slowly and in no case without a struggle. The first to yield was legislative surveillance of the judiciary.

Athwart the face of the judgment recorded against Thomas W. Dorr the General Assembly in 1854 ordered to be written, "Reversed and annulled." The succeeding Assembly asked of the Supreme Court its opinion of the constitutionality of this act, and received in reply, through Chief Justice Richard W. Greene, the statement that the particular act was unconstitutional, but that the long-continued exercise by the Assembly of judicial functions derived a kind of sanction through acquiescence. Once again had the Rhode Island judiciary receded from before the legislature. It, however, was for the last time. In 1856 there came up for determination the case of *Taylor vs. Place*, a case in which an appeal to the General Assembly

had been entertained. The chief justice now was Samuel Ames, a man of wide legal learning, of marked judicial talent, and of a personal presence not unlike that of Salmon P. Chase. In the opinion which he proceeded to render he set forth fully the nature of judicial power, pointed out that the Constitution of 1842 vested such power in "one" Supreme Court with appropriate inferior courts, and voiced the irresistible conclusion that it was the whole and not a part of judicial power which thus had been conferred. It remained for the legislature to confess the correctness of Ames's position. The confession was not made at once. Not until 1860, in the case of *Hazard vs. Ives*, did the legislature after an elaborate debate tacitly and, as it were, sullenly lay down a power which it had exercised from the earliest days, and in defense of which it had ventured to antagonize both the Earl of Bellomont and Queen Anne.

Two other matters of importance claimed the attention of Rhode Islanders at this period: manufactures and the question of African slavery. By 1840 (owing to a tariff, to steam, and to the power loom) the cotton manufacture had become thoroughly established. After that year cotton was confronted by a rival industry in woolens — a manufacture identified in origin with the energetic Hazards of Peacedale, and with the ingenious and versatile Zachariah Allen. Implements and machinery, now,

too, were notable local industries. In the time of the Revolution, Pawtucket, Providence, and other towns had been centres for the production of cannon and small arms. By 1794 Elijah Ormsbee and David Wilkinson, the latter a brother of the wife of Samuel Slater (she of the laughing eyes), had invented a steamboat which would run, and by 1849 George H. Corliss of Providence had invented the Corliss engine. The cotton and woolen industries, the manufacture of tools and implements, and the fabrication of jewelry (an industry which from 1810 to 1857 had steadily augmented in importance) made Rhode Island, and especially Providence with its 50,000 souls, a point of exceeding interest by 1860.

Toward the question of slavery in the South, the attitude of Rhode Island was neither more nor less advanced than that of New England in general. After 1820, when the slave trade was declared piracy, Newport and Bristol by degrees declined its fascinations, and the sentiment of the State — dictated by the industrialism of Providence — became a sentiment increasingly for freedom. The Mexican War was not liked, but the temptation to rejoice over the victories of General Zachary Taylor at Palo Alto and Resaca de la Palma proved too great to be resisted. Atonement was sought to be made by legislative resolutions condemnatory of the war and of President Polk for inaugurating it. The electoral vote of the State, which in 1852 had been

cast for Franklin Pierce, was given in 1856 to John C. Fremont. In 1854 State officers were forbidden to lend aid in the rendition of fugitive slaves, and in 1859 the people were profoundly stirred by the raid of John Brown.

Not long after the raid in question, Abraham Lincoln (February 28, 1860) delivered a political speech in Providence; and not long after the Lincoln speech Stephen A. Douglas (August 2, 1860) was given an ovation and a "clam bake" at Rocky Point. Lincoln's thesis was the memorable one, "This government cannot permanently endure half slave and half free." "He abounds in good humor and pleasant satire," was the comment of the Providence "Journal," "and often gives a witty thrust that cuts like a Damascus blade." At the Douglas ovation, the little giant took occasion to observe that one of his ancestors on the maternal side [an Arnold] had been an associate of Roger Williams, and that the latter was really the first American "squatter sovereign."

In spite of its Quakers, Rhode Island may accurately be described as a fighting commonwealth. It preferred at first to fight upon the sea, but as far back as the Canadian and Cuban expeditions of the early eighteenth century it fought with conspicuous bravery on land. In the war of the Revolution the doughtiness of the Rhode Island line at Monmouth, Long Island, Red Bank, Princeton,

and Trenton, under leaders such as Christopher Lippitt, Israel Angell, and Christopher C. Greene, was proverbial, and the war for the Union showed that in martial spirit there had been no decline. William Sprague was elected governor in 1860, and before the inauguration of Abraham Lincoln he offered to President Buchanan the use of the Rhode Island militia for the defense of the national capital and for the maintenance of the Constitution and laws. After Lincoln's inauguration and the outbreak of actual war, the military efforts of the State were unceasing until the restoration of peace in 1865. During this interval there were sent into the field 23,457 men, — a force comprising eight regiments of infantry,[1] three of cavalry, three of heavy artillery, and one regiment of light artillery. The force was in excess of the quota of the State; it was greater in proportion to population than that sent into the field by any other State save perhaps one, and its cost was $6,500,772. No part of it was raised by conscription. To conscription the individualism of the people was unalterably opposed.

[1] As in the Revolution, so in the war for the Union Rhode Island raised a regiment of colored troops. An attempt to form such a regiment was made in 1861, but only a few enlistments were secured. In 1863 a second attempt was made which resulted in the formation of the Fourteenth Rhode Island, a regiment of heavy artillery. The regiment cost nearly a million of dollars in bounties, showed little physical endurance, and was made the object of systematic frauds.

Unlike the war of the Revolution, the Civil War was fought at points wholly beyond the jurisdiction of the Narragansett Bay commonwealth. None of the operations, therefore, call for detailed consideration. Rhode Island troops were with Grant before Vicksburg, and helped contest the bloody actions of Antietam, Fredericksburg, Gettysburg, and those of the Wilderness Campaign. The most prominent officer whom the State gave to the conflict was General Ambrose E. Burnside. He fought as a colonel at Bull Run; led in 1862 the "Burnside Expedition" against North Carolina; commanded, the same year, the Ninth Army Corps, and the Army of the Potomac before Fredericksburg; and in 1863, in Ohio, promulgated the orders which resulted in the arrest of Clement L. Vallandigham. His subsequent service was with the Ninth Corps under Generals Meade and Grant. Burnside was a native of Indiana, but his wife was from Providence, and to Rhode Island, his adopted State, he devoted his life and talents as warrior, governor, and United States senator. Rhode Island, it has been said, preferred originally to fight upon the sea. It so preferred until after the War of 1812. With the decline, first, of privateering, then of the slave trade, and finally of legitimate commerce itself, there supervened (along with the rise of manufactures) a comparative indifference to the sea. Owing to this indifference it perchance was that the commonwealth

which in the Old French War had kept a large quota in the royal navy, and fifteen hundred men on board of privateers, contributed to the navy in the war for the Union 480 men.

Distrust of delegated power had made it hard for Rhode Island to ratify the Federal Constitution. A like distrust made it hard for the State to put aside the Charter of King Charles II in favor of the Constitution of 1842, and in the case of the Constitution of 1842 made it hard to secure amendments. The amendment chiefly desired was one eliminating the separatist survival which withheld from naturalized citizens, not possessed of a freehold, the privilege of voting. Already the survival which kept the judiciary under surveillance had been gotten rid of; but it had not been gotten rid of by amendment to the constitution. In fact, down to the time of the Civil War, the only amendments adopted had been three: one taking the registration of voters out of the hands of the towns; one investing the governor with the pardoning power; and one shortening the itinerary of the General Assembly.[1]

After 1842 it had been the Democrats that had

[1] On April 7, 1886, there was adopted an amendment (the Fifth) prohibiting the manufacture and sale of intoxicating liquors to be used as a beverage. By a further amendment (the Eighth) adopted June 20, 1889, Amendment five was annulled. For the history of liquor legislation in Rhode Island see J. H. Stiness, *Two Centuries of Rhode Island Legislation against Strong Drink*, 1882.

advocated an extension of the suffrage to the foreign born. After 1842 it had been the Whigs that had declared peril to lurk in a suffrage that was undiscriminating. Force, now, was imparted to the declaration of the Whigs by an arrival of Irish immigrants — people poor, untutored, and driven from home by famine. In 1854 the Whig party began to disintegrate, but the fact proved to be little to the advantage of the Democrats. On the ruins of the Whig organization there arose that of Know-Nothingism. The Know-Nothings were the "A. P. A." of their day. They were for America for the Americans. In Rhode Island, therefore, they were against Irishmen and Catholics, and by a sweeping victory at the polls in 1855 put a temporary check to agitation in favor of widening the suffrage. In 1862 and 1863, however, when the Republican party was in control of the legislature, serious effort was made to secure for soldiers and sailors who had been naturalized in Rhode Island the privilege of voting. The effort met with failure, and was not renewed with success until 1886.

Yet even in Rhode Island the trend of the age toward manhood suffrage was not permanently to be stayed. In 1871, and again in 1876, the question of enfranchising foreign-born citizens was submitted to the people, and in 1878 a systematic and determined scheme of agitation was put in operation. The difficulty was not to obtain a ma-

jority vote in behalf of the naturalized foreigner. It was to obtain a majority vote of three fifths. The situation was not unlike what it had been in 1840, when Dorr began his memorable crusade. The powerholders — the legally qualified electors — would not yield the boon desired. A three fifths majority, it was averred, never could be secured. What recourse was left? The same that in 1840 was left to the Dorrites, — either a new State constitution or interposition by the Federal government.

At first interposition by the Federal government was sought. In 1878 Charles E. Gorman (a naturalized citizen of the United States for nearly forty years, and since 1848 a citizen of Rhode Island) presented a memorial to the Senate and House of Representatives claiming for the subscribers the privilege of the suffrage in Rhode Island under the Fourteenth and Fifteenth Amendments to the Constitution of the United States. Said the memorial: "The naturalization laws of the United States are, within the State of Rhode Island, nullified. . . . The naturalized citizens, who have renounced claim to the protection of the country of their origin, and either are, or are entitled to be, citizens of the United States, are rendered, unless in exceptional cases, utterly alien to the institutions of their adopted country." In the Senate the memorial was referred to the judiciary committee, but the report upon it was unfavorable.

If, observed Senator Edmunds, chairman of the committee, voting were one of the privileges or immunities of citizens of the United States as such, it must be a privilege or immunity of all citizens, male and female, infants, lunatics, and criminals.

Having failed with the Federal government, the Gormanites devoted every energy to the task of securing a new constitution. And here the parallel between them and their predecessors the Dorrites is of special interest. Like the Dorrites, the Gormanites contended that the right and power of framing a constitution was, in every State, a right and power inherent in the people, and that it was not limited in the mode of its exercise by provisions of the existing constitution with regard to mere amendment. On one point, however, the Gormanites stopped short of their predecessors. They did not assert a right in the people of creating a new constitution regardless of the legislature. The General Assembly must take the initial step, must submit to the people the question, Shall a constitutional convention be called?

In 1880 there was formed an Equal Rights Association, prominent in which, besides Charles E. Gorman, were Abraham Payne and Dr. L. F. C. Garvin. The question of a new constitution was urged upon the attention of the legislature, and even in Congress agitation was renewed. By some

members of the national House and Senate it was proposed in 1881 to reduce the congressional representation of Rhode Island under that clause of the Fourteenth Amendment which prescribes reduction for denying the right to vote to male citizens of the United States twenty-one years of age. But Rhode Island's senior senator, Henry B. Anthony, who had represented the State in the Federal upper house since 1859, was able to show in an elaborate speech that, counting against the State two thousand naturalized citizens disqualified as voters, the population was still sufficient to command the existing representation.

In the General Assembly, despite the defeat of successive proposals to submit the question of a constitutional convention, sentiment was disturbed. Accordingly in 1883 the senate asked of the Supreme Court its opinion regarding the power of the Assembly to submit such a question. The court unanimously replied that the power of the legislature, under the Constitution of 1842, was limited to proposing specific amendments, each of which required a three fifths majority of the electors for its ratification. By this opinion the purposes of the Gormanites — the neo-Dorrites — seemed to be definitely and finally set at naught. The situation found effective summary and burlesque in a squib: —

"Alas! what a pity our fathers did n't mention,
That we boys, if very good, could hold a convention.

They never said we should n't but did n't say we might,
'Ergo,' cry the sages, 'you have n't got the right.'
'T was very bad, indeed, their permission to deny,
But infinitely worse at once to up and die;
For thus they turned the lock and flung away the key,
And Rhode Island 's 'in a box' for all eternitee."

But it is the unexpected that happens, and in 1888, on a further submission to the electors of the proposition to amend the State constitution by granting the suffrage to naturalized citizens, there was cast an affirmative vote in a majority of three fifths.

By the amendment of 1888 there was eliminated in Rhode Island the last but one (the dual capital) of those separatist survivals from the age of Roger Williams which were carried in ameliorated form into the Constitution of 1842. It was otherwise with the survivals which were of the nature of separatism intensified — town representation in the senate and the three fifths majority requirement for amending the constitution. The contest over these particular survivals (the corrupt politics contest) had in 1888 only just begun; nor is it yet finished.

The history of corrupt politics in Rhode Island is curious, interesting, and suggestive. In the seventeenth century as early as 1649 it was found necessary by Providence Plantations to pass an act in restraint of fraudulent voting, and in 1666 (under the charter) a penalty of five pounds was

prescribed against voting on the part of persons who were not freemen. In the eighteenth century — between 1710 and 1750, the paper money era — fraudulent voting and bribery were both practiced with extreme boldness. A law of 1715 required each freeman to indorse his ballot with his full name, and made illegal voting punishable by a fine of five pounds, by not to exceed twenty stripes, or by imprisonment for one month. After 1724 voters were required to be owners, each, of a freehold in the value of one hundred pounds, or to be the eldest sons of such owners; but admission to freemanship was through the towns, and a landed neighbor was apt (for a consideration) to be willing to accommodate an unlanded one with the loan of a freehold until after election. In 1730, therefore, an act against fraudulent representations became necessary, one (in 1736 and 1738) supplemented by acts which prescribed for illegal voting the penalty of fine and suspension of electoral privileges for three years. Because of the depreciation of the currency, these various enactments were in 1742 followed by a law raising the nominal freehold qualification to two hundred pounds; and by a law in 1746 raising it to four hundred pounds and decreeing that the election of a candidate should be invalidated by a single vote that was fraudulent. It was not until 1762 — twelve years after the interposition of Parliament — that it was deemed practicable to restore the original freehold qualifi-

cation by lowering the nominal one to forty pounds. Nor even then did there come a cessation of fraud in elections. Throughout the period of the Hopkins-Ward controversy, which did not end until 1768, votes (especially in Narragansett) were bought quite systematically; and in 1790 ratification of the Federal Constitution is said to have been secured through purchased votes — those of delegates from "back towns." [1]

In the nineteenth century, after the town of Providence had attained a population of 23,000, it there became a practice on the part of dishonest freeholders to divide up tracts into house lots, and by conveying the lots for a limited time to accomplices — transactions evidenced by the notes-of-hand of the grantees — to multiply their electoral power many fold. With the rise to colossal wealth of divers individuals, just before the Civil War, the practice of influencing votes directly by money is again brought to notice. Since the war, in connection with the growth of the Republican political machine, the practice has become ingrained and widespread — a scandal of a magnitude that is portentous.

What, however, in the history of political degeneracy in Rhode Island is most noteworthy is the intimate connection maintained between that degeneracy and the rural districts. When, in the

[1] In this connection Rider's *Book Notes*, vol. xiii, p. 182, should be consulted.

eighteenth century, Rhode Island began to grow distinctly commercial and coöperative, the agriculturalists began as much as possible to withdraw themselves; to erect between themselves and the urban centres barriers. These barriers were town lines. Between 1700 and 1800 twenty-one towns were created, many of them avowedly for the reason that (as stated in 1765 in the petition for the creation of North Providence) "the petitioners are near all farmers whose interest and business differ from the merchants." Thus barricaded, thus withdrawn and secluded, the country towns (not only in the eighteenth century but also in the nineteenth) became the stronghold of corruption.

The specific spots in rural Rhode Island where political corruption most prevails are the towns of Burrillville, Coventry, East Greenwich, Exeter, Foster, Glocester, Narragansett,[1] New Shoreham (Block Island), North Kingstown, North Providence, North Smithfield, Scituate, Smithfield, and West Greenwich. Of these towns six — Burrillville, Glocester, Foster, Coventry, West Greenwich, and Exeter — are on the Connecticut border, and are called significantly "heathen." Seven towns — Exeter, Foster, Glocester, North Smithfield, Scituate, Smithfield, and West Greenwich — are losing

[1] Narragansett, which comprises that portion of South Kingstown lying east of the Pettiquamscutt River, was created an administrative district on March, 22, 1888. The privilege of representation in the General Assembly was conferred upon it on March 28, 1901.

steadily in population, and are called "dying" towns.[1] Indeed, Exeter, Foster, and West Greenwich have to-day each less population than they had in 1790. Neither of them supports a resident clergyman, and the three (along with Burrillville, North Smithfield, and Smithfield) are handicapped by superstition, ignorance, and certain forms of immorality.

It would be an easy explanation were one at liberty to ascribe the aforementioned conditions primarily to the insidious influence of the State machine, but to do this one is not at liberty. The separatism of the Rhode Island agriculturalist — due chiefly to an individualistic bent transmitted from the age of Roger Williams — furnished to the machine its opportunity. It furnished it, first, with a senate so organized (upon separatist principles) as to be controllable through the control of a few small electorates. It furnished it, second, with electorates not only small but, through seclusion, burdened with an ignorance and predisposition to vice ancient enough to have been bewailed by Roger Williams, Governor John Carver of Plymouth, and Governor John Winthrop, Jr., of Connecticut. It never is safe to indict a whole people, nor, for that matter, the whole of any one class. It

[1] The Rhode Island State census of 1905 (now nearly completed) is expected to show little or no recovery on the part of the dying towns. Providence (175,000 souls in 1900) should reach 190,000 in 1905.

therefore, perhaps, is rash to assert that the agriculturalists — the farmers — of Rhode Island are, as a class, corrupt in a political sense, or even corruptible; although the town of Coventry, which contains 5279 souls, and which in point of social morality stands well, has come to be thoroughly debauched politically. What reasonably may be asserted is, that in Rhode Island — a State cut up into small towns, each (regardless of population) possessed of a vote in the senate — there have been found with no great difficulty corruptible farmers in numbers sufficient to serve machine ends. Primarily it is to separatism — a survivalistic idea and habit wrought relentlessly into a system — that the political degradation of Rhode Island to-day is to be ascribed.

Since 1888 (the year of the adoption of the suffrage amendment) the task of the political reformer in Rhode Island has been that not of reforming decadent rural towns, or even of transforming them, but of destroying the system engrafted upon them. Under this system 330,030 (seventy-seven per cent) of the 428,556 inhabitants of the State constitute eight cities and towns, and are represented in the senate by eight members; while 98,526 (twenty-three per cent) constitute thirty towns, and are represented in the senate by thirty members. One section of population (a section 175,000 strong and with 29,030 qualified

voters — the section which constitutes the urban division, Providence) is accorded one senator; while another section (one 40,398 strong and with 5620 qualified voters — the section which constitutes twenty rural divisions) is accorded twenty senators.

Prior to the adoption of the suffrage amendment, the hope of the Rhode Island reformer centred in the plan of a new constitution to be framed and adopted by a convention of delegates chosen upon a basis of population, and acting through a simple majority. But the opinion of the Supreme Court in 1883 denying the right of the General Assembly to submit to the people so much even as the question of a convention, coupled with the circumstance that in 1888 there was actually obtained for an amendment so radical as that for an enlarged suffrage a three fifths majority, weakened the convention plan. In 1897, therefore, when the reformer again was urging his demand for constitutional betterment, he was forced to confine himself to asking from the Assembly the submission to the people of an instrument in the form of an amendment to the existing constitution, and, as such, subject to defeat even though desired by a majority.

During the year 1897 a new constitution was draughted, but in the draughting the senate of course took part, and although Dr. L. F. C. Garvin earnestly pleaded for a section reorganizing the

senate on a basis of thirty-six members, to be chosen from three senatorial districts on the principle of proportional representation, the old provision, "one senator from each town or city," was left undisturbed. The proposed constitution nevertheless was an advance upon the Constitution of 1842. It vested the governor with a qualified power of veto; it increased the membership of the house of representatives from seventy-two to one hundred, one fourth of which might be held by one town (Providence); it provided for the adoption of amendments by a majority vote of the electors; and it provided for the submission to the people every twentieth year, beginning with 1910, of the question, "Shall there be a convention to revise the constitution?" But when in 1898, and again in 1899, the instrument was tendered to the electors, it was rejected; the rejection of 1899 being not only by a majority but by a majority that was emphatic.

Thus far there has been little to show that Rhode Island (including Block Island) has begun to abandon venal politics and to dispense with venal politicians, yet something has been accomplished. In 1902 Dr. Garvin — a Democrat — was elected governor in protest against the Republican State machine, and in 1903 he was reëlected. Under the Constitution (that of 1842) and rules adopted by the senate, a Democratic governor was powerless. He could veto no bill; he could secure the confirmation of no appointee. One thing, how-

ever, he could do: make in his official capacity a revelation to the State and nation of the conditions politically which obtained about him. Accordingly, in March, 1903, Governor Garvin sent to the General Assembly a special message on bribery at elections. The document was treated with scant respect by senators and representatives, but it reached the ear of the nation and also to some extent the ear of Rhode Island. Said the Providence "Journal" on the day after the message was submitted: "The blame for the present order of things . . . belongs with the educated manufacturers and business men of the State who are too busy making money to pay attention to political conditions." [1]

As has been observed, survivalistic separatism is the fact in Rhode Island worthiest of note since the Civil War. Other noteworthy facts are the growth of foreign immigration and the economic, educational, and social development of Providence and Newport.

[1] In 1904 there was formed the Rhode Island Citizens Union, an organization having for its object a convention to revise the existing State constitution. In March, 1905, the Union secured a hearing before the senate committee on special legislation, and on May 4 it addressed to the committee a letter proposing a constitutional convention to be chosen on the basis of a hypothetical membership of one hundred in the house of representatives. As an alternative the Union offered to support an amendment to the constitution providing for a constitutional convention in 1906. Nothing was done by the Assembly.

Since 1848 the Irish have been a strong invading element, and since 1880 the Canadian French. Indeed, within the last two decades the influx of the French has been phenomenal. As a result, over thirty per cent of the population of the State in 1900 (134,519 souls out of a total of 428,556) were foreign born. In the case of the Irish, immigration is a fact not especially significant. The people ally themselves readily with the native and other stocks, and they are not discouragingly illiterate. The towns in which they congregate — Bristol, Newport, Cranston, East Providence, Pawtucket, Providence, and South Kingstown — are among the thriftiest and most exemplary of all the towns. On the other hand, the Canadian French by their presence give rise to a problem. They do not amalgamate with other stocks; they are highly illiterate; and the rural towns in which they preponderate among the foreigners — Warren, Coventry, Warwick, West Greenwich, Burrillville, Glocester, North Providence, North Smithfield, Scituate, Smithfield, and Exeter — are among the Rhode Island towns socially and politically most in disrepute.

Not that the Canadian French as such are degenerate. In Woonsocket, where they abound, morals and politics are excellent. The trouble with them is that wherever, as in the worst rural towns, they are brought as mill operatives into contact with a decadent American stock, they contribute

to degeneracy by failing to withstand it. By temperament (save as to language and the domestic relation) they are a conformable race. They look to the Anglo-Saxon. Education, combined with an environment of wholesome politics, would beyond any reasonable doubt bring them effectually under the great Anglo-Saxon tradition.

Providence in 1860 was a city of 50,000 souls. In 1905 it is a city of 190,000 souls. Between these extremes of date and population much is comprehended. Industries have become greatly diversified. Woolen goods as an article of manufacture have taken precedence of cotton goods. Silverware, rubber commodities, and malt liquors have been added to the list of leading industrial products. In 1901, moreover, there was completed in Providence, at a cost of $3,000,000, a new State Capitol building. It is a structure of white marble, classic in design, and commanding in location. Just prior to its occupation there was adopted a constitutional amendment dispensing with sessions of the General Assembly at Newport. The long standing separatist survival of a dual capital has thus been eliminated.

In an educational respect Providence possesses features quite as remarkable as are its vast and varied manufactures. Brown University — exceptional in its traditions of a Francis Wayland, an Albert Harkness, a J. Lewis Diman, and an E. Benjamin Andrews; of a Horace Mann, a Henry

Wheaton, a Richard Olney, and a John Hay — has grown steadily in equipment and importance. Its buildings now number more than a score, and its graduates are to be found in every State. Next to it in importance rank the Friends', or Moses Brown, School (an institution dating from 1819), the State School of Design (1877), and the State Normal School, admirably complete since 1898. Then there are the seven Providence libraries: the Athenæum (rich in the ownership of Malbone's "Hours"), the library of Brown University, the library of the Rhode Island Historical Society, the Providence Public Library, the John Carter Brown Library, the State Library, and the State Law Library. Of these the Athenæum is an outgrowth of the library established in 1750 by Stephen Hopkins, and the Brown University and John Carter Brown collections are memorials of the enlightened generosity of John Carter Brown, son and grandson, respectively, of the two Nicholas Browns, the principal benefactors of Brown University. The John Carter Brown collection is special in character, embracing Americana antedating the year 1800. In 1904 it was removed from the Brown residence on Benefit Street to a noble structure of the Greek order built especially for its use on the University campus.

To one limitation Providence finds it difficult to become habituated — that of inferiority as a seaport. Situated at the head of a charming and

navigable bay, its ships between 1804 and 1806 brought home the spoil of the Indies; and even as late as the period 1822–1825 its foreign commerce was almost equal to what it had been at the end of 1806. In the conversion of Providence from a mart to a producing centre three stages have been traversed: first (1787–1825) the stage in which the town, by reason of a position interior from the coast and by reason of the absence of competing canals and railways, was a natural distributing point westward to the Hudson; second (1829–1840) the stage in which, by reason of embargoes and tariffs and of competing canals and waterways, the town was forced into production as a substitute for commerce; and third (1840–1900) the stage in which, by reason of inferior railway communications with the great exporting regions of the West, it has been left behind by New York on the one hand, and by Boston on the other.

As early as 1796 it was realized by John Brown that Providence must hasten to avail itself of artificial waterways as a means of commercial stimulus, and the Blackstone Canal northward into Massachusetts was projected. But the work was deferred, and when in 1828 it at length was completed, the era of railways was at hand to render it useless. Yet to-day Providence possesses a coastwise trade in coal, lumber, and building materials that far exceeds in value and in the tonnage of the shipping employed the direct foreign

trade of the period 1787–1825. Presumably with this not unsatisfactory showing local ambition will need long to be content.

Providence since the war has advanced industrially. Newport during the same period has continued its social advance.[1] But as a resort the Newport of the twentieth century is a place different far from the Newport of 1840 or 1860. The little harbor town, sustained by the patronage of the South and by that of its own sons, the little town dwelt upon so lovingly and oft by the pen of George William Curtis, has been replaced by a Newport sustained by patronage from a more opulent source.

The southerners of the eighteenth and early nineteenth centuries hired such Newport dwellings or lodgings as they could find. Between 1835 and 1840 gentlemen from Charleston and Savannah began building cottages on Bellevue Avenue, Narragansett Avenue, and the Old Beach Road. In 1844 the Ocean House was erected on Bellevue Avenue, and thenceforth, until 1861, the social life of Newport was both a cottage and hotel life, the latter hardly less fashionable than the former. The Ocean House was destroyed by fire in 1845, but it was at once rebuilt, and in 1846 it was in the hey-

[1] For a class comprehending both cottagers and hotel patrons Narragansett Pier in Narragansett and Watch Hill in Westerly have, since the Civil War, become prominent Rhode Island resorts.

day of its prominence. It possessed a wide veranda, was pierced by a corridor 252 feet long, and its chambers were spacious and high. On August 31, 1846, the hotel was the scene of a characteristic function — a magnificent ball. There were present three hundred guests at ten dollars a ticket. Dancing continued from half-past nine in the evening until four o'clock in the morning. It was described as "a medley of quadrilles, waltzes, polkas, and what is more delightful still, the redowa, an entirely new and perfectly bewitching dance." Bewitching, indeed (not to say excruciating), must have been life at the Ocean House in 1846 to be described as it was by the correspondent of the Providence "Gazette:" "We are well catered for by the musical world," he wrote. "Miss Northall — the plump Miss Northall — the charming throstle-throated Miss Northall — has delighted us with her vocal melody, while De Bignis — the big De Bignis — the prominent, aquiline-nosed De Bignis — has almost been the death of us with his Italian comicalities."

By 1852 the building of cottages at Newport had become an active pursuit. There now were twelve costly ones in existence, four owned by citizens of Boston, and eight by southerners. In the winter of 1853–54 more than sixty were erected. Among the owners were August Belmont, W. S. Wetmore, John Carter Brown, Alexander Van Rensselaer, Charlotte Cushman, Charles H. Rus-

sell, Peter Parker, Samuel Ward, Sara P. Cleveland, and H. Hunnewell. In 1852 Bellevue Avenue was extended to Bailey's Beach, and the same year the sales of land by the principal agent of the town reached $435,000. Between 1851 and 1879 the sales by this agent amounted to $13,746,000. In 1860 the sales were $508,000; in 1863 $900,000; in 1864 $1,100,000; in 1871 $1,532,000; in 1872 $1,451,000; and in 1878 $791,000.

In an article printed in 1879 in the Providence "Journal" it is stated that fifty thousand dollar Newport cottages were then common, that a good many cost over $100,000, and a select few $200,000. "Every known and unknown order of architecture was represented. The styles of old Germany and of modern France, of Switzerland and Italy, of England and the isles of the sea, were faithfully reproduced." "Many of the cottages," to quote again from the article mentioned, "are embowered among trees, shrubs, and flowering plants. Borders are cut so as to give the idea of deep vistas, and hedges inclose beautiful lawns. Standing out in bold relief are trees like the elm, the oak, and the sugar maple. . . . Hidden among arbors and trellises are spacious conservatories where flowers forever bloom; and graperies where delicious fruits are ripened almost at will. Nectarines, apricots, peaches, and figs grow in the graperies. Tiny dwarf trees are set in pots, and when ripened fruit hangs on the branches, the trees are placed upon

the dining-table that the guests may pluck the growing fruit themselves."

But the pastime of luxurious dining was but one Newport pastime of many. There were sports — polo and lacrosse; there was bathing at Bailey's and Easton's beaches; there was driving up the island, and, on "fort days," to Fort Adams. But more than anything else there was driving in full regalia in Bellevue Avenue. For what the Pincian was (and is) to the Roman, or the Park to the Londoner, or the *Bois* to the Parisian, that was (and is) Bellevue Avenue to the cottager at Newport.[1]

Between the Newport of 1879 and that of 1905

[1] "Newport is all shingle and clapboard, with a lot of pretentious wooden houses each on its little acre, or half-acre, of land, and subject each to the supervision of at least one neighbor. There is no such thing as privacy, and nobody seems to desire it. The great thing is to drive every day up and down the Avenue, as it is called, which is a loose line of wooden cottages with board ornamentation, or to bathe from the beach or to go on Saturday evening to the 'Ocean House' to dance. The air is sirocco cooled off by the sea. Yesterday we went out on a yachting party — Commodore Stevens's yacht — The Maria — and had a charming sail in the bay. . . . There were two young girls, — one-inch-one in the waist and half-an-inch in the arms, and rather attractive notwithstanding! In the evening, at the Ocean House, we were greatly amused. There was a great crowd, coming from everywhere, and among them some very pretty persons. The band played, and the great hall was crowded with dancers. People came in from the cottages — girls, old men, servants and shopkeepers mixed together, and yet there was nothing disagreeable in the manners of any of them — all were decorous and pleasant." — W. W. Story (after a long residence in Europe) to his daughter, summer of 1865.

the difference, though less than between the Newport of 1905 and that of 1860 or 1840, is yet a difference to be remarked. The fifty thousand dollar cottages, and even the one and two hundred thousand dollar ones, have been superseded by structures costing nearly half a million. Hotel life, which even after the war continued for some years to be fashionable, has almost altogether ceased. There consequently is less meeting and mingling than of yore of representative people from different parts of the Union. Society, which once was pan-American, is now almost exclusively a reproduction of New York.

Newport, the historic town, no longer commands the unique position that it commanded in the days of the Wantons and of Berkeley, or in those of the Malbones and of Dr. Stiles — the days of its commercial and intellectual maturity; but it is not therefore void of distinction. The stone windmill of Governor Benedict Arnold is now more an object of interest than it was in the eighteenth century. Trinity Church and churchyard suggest loyalism under Queen Anne. The Redwood Library perpetuates worthily a classic literary tradition. The Jewish Cemetery blooms ever in reminder of Spain, Portugal, and the East. The State House enshrines the full length (replica) portrait of Washington by Gilbert Stuart. Antiquarians are helped by the museum and collections of the Newport Historical Society.

On Coaster's Island, withal, the United States Torpedo Station, Naval Training School, and Naval War College find congenial cohabitation; while in Newport Harbor there gracefully ride towering-masted miracles, creations of two descendants of John Brown of Providence, John Brown Herreshoff and Nathanael Greene Herreshoff, proprietors of the Herreshoff yacht works at Bristol. From the War College there has gone forth, in the lectures by Captain Alfred T. Mahan on "sea power," a characteristic Rhode Island influence. In the triumphs of the Defender, the Columbia, and the Reliance there are adumbrated the triumphs of the Prince Charles of Lorraine, the Defiance, and the Yankee.

In another way the southern section of Rhode Island has sustained the Rhode Island tradition. In South Kingstown, down nearly to the twentieth century, philosophical idealism (the soul of Rhode Islandism) was ministered to by Rowland G. Hazard, successor in spirit to Roger Williams, Samuel Gorton, and the individualists; to Anne Hutchinson and the Antinomians; to Mary Dyer, George Fox, and the Quietists; to Dean Berkeley and the Idealists; to Samuel Hopkins, Moses Brown, "College Tom," and the Abolitionists; to Stephen Hopkins and the Revolutionists; to David Howell and the political autonomists; to William Ellery Channing and the Transcendentalists; and to Thomas W. Dorr and the liberationists. Born near Tower

Hill in 1801, Mr. Hazard early became the friend of Channing, and afterwards the antagonist, friendly and admired, of John Stuart Mill. He died at Peacedale on June 24, 1888. The depth of his individualism, as Dr. Edward Everett Hale has pointed out, may be gauged from his postulate that man of himself is "a creative first cause."

The history of Rhode Island has been sketched in three parts: the part Agriculture and Separatism embracing the period 1636 to 1689; the part Commerce and Coöperation embracing the period 1690 to 1763; and the part Unification and Manufactures embracing the period 1764 to the present day. The last two parts are important as indicating the course of industrial development and as revealing separatism in its deep power of survival. But it is the first part that is most important. It comprehends the time when Rhode Island alone among commonwealths exemplified the two leading ideas of Christianity and the Reformation — the two leading ideas of modern life and progress: the idea of Soul Liberty or Freedom of Conscience in religion; and the idea of the Rights of Man in politics.

APPENDIX

APPENDIX

A

TOWNS AND COUNTIES OF RHODE ISLAND, WITH DATE OF SETTLEMENT OR OF INCORPORATION

TOWNS.

Providence, 1636.
Portsmouth, 1638.
Newport, 1639.
Warwick, 1643.
Westerly, 1669, May 14.
New Shoreham, 1672, Nov. 6.
North Kingstown, 1674, Oct. 28.
East Greenwich, 1677, Oct. 31.
Jamestown, 1678, Nov. 4.
South Kingstown, 1723, Feb. 26.
Glocester, 1731, Feb. 20.
Scituate, 1731, Feb. 20.
Smithfield, 1731, Feb. 20.
Charlestown, 1738, Aug. 22.
West Greenwich, 1741, April 6.
Coventry, 1741, Aug. 21.
Exeter, 1743, March 8.
Middletown, 1743, June 16.
Bristol, 1747, Jan. 27.
Warren, 1747, Jan. 27.
Little Compton, 1747, Jan. 27.
Tiverton, 1747, Jan. 27.
Cumberland, 1747, Jan. 27.

TOWNS.

Richmond, 1747, Aug. 18.
Cranston, 1754, June 14.
Hopkinton, 1757, March 19.
Johnston, 1759, March 6.
North Providence, 1765, June 13.
Barrington, 1770, June 16.
Foster, 1781, Aug. 24.
Burrillville, 1806, Oct. 29.
Fall River [now Mass.], 1856, Oct. 6.
Pawtucket, 1862, March 1.
East Providence, 1862, March 1.
Woonsocket, 1867, Jan. 31.
Lincoln, 1871, March 8.
North Smithfield, 1871, March 8.
Central Falls, 1895, Feb. 21.
Narragansett, 1901, March 28.

COUNTIES.

Providence, 1703, June 22.
Newport, 1703, June 22.
Washington, 1729, June 16.
Bristol. 1747, Feb. 17.
Kent, 1750, June 11.

B

CHIEF MAGISTRATES OF RHODE ISLAND, 1638–1905

PORTSMOUTH.

Judges.

William Coddington, March 7, 1638, to April 30, 1639.
William Hutchinson, April 30, 1639, to March 12, 1640.

NEWPORT.

Judge.

William Coddington, April 28, 1639, to March 12, 1640.

PORTSMOUTH AND NEWPORT.

Governor.

William Coddington, March 12, 1640, to May 19, 1647.

PRESIDENTS UNDER THE PATENT OF 1644.

John Coggeshall, of Newport, May, 1647, to May, 1648.
[1]Jeremy Clarke, of Newport, May, 1648, to May, 1649.
John Smith of Warwick, May, 1649, to May, 1650.
Nicholas Easton, of Newport, May, 1650, to Aug., 1651.

In 1651 a separation occurred between the towns of Providence and Warwick on the one side, and Portsmouth and Newport on the other.

PROVIDENCE AND WARWICK.

Presidents.

Samuel Gorton, of Warwick, Oct., 1651, to May, 1652.
John Smith, of Warwick, May, 1652, to May, 1653.
Gregory Dexter, of Providence, May, 1653, to May, 1654.

PORTSMOUTH AND NEWPORT.

President.

John Sanford, of Portsmouth, May, 1653, to May, 1654.

In 1654 the union of the four towns was reëstablished.

[1] William Coddington, of Newport, was elected, but the General Court would not engage him, for failing to clear himself of certain accusations.

Presidents.

Nicholas Easton, of Newport, May, 1654, to Sept. 12, 1654.
Roger Williams, of Providence, Sept., 1654, to May, 1657.
Benedict Arnold, of Newport, May, 1657, to May, 1660.
William Brenton, of Newport, May, 1660, to May, 1662.
Benedict Arnold, of Newport, May, 1662, to Nov. 25, 1663.

UNDER THE CHARTER OF 1663.

Governors.

Benedict Arnold, of Newport, Nov., 1663, to May, 1666.
William Brenton, of Newport, May, 1666, to May, 1669.
Benedict Arnold, of Newport, May, 1669, to May, 1672.
Nicholas Easton, of Newport, May, 1672, to May, 1674.
Wm. Coddington, of Newport, May, 1674, to May, 1676.
Walter Clarke, of Newport, May, 1676, to May, 1677.
[1]Benedict Arnold, of Newport, May, 1677, to June 20, 1678.
[1]William Coddington, Aug. 28, 1678, to Nov. 1, 1678.
[1]John Cranston, of Newport, Nov. 8, 1678, to March 12, 1680.
Peleg Sanford, of Newport, March 16, 1680, to May, 1683.
Wm. Coddington, Jr., of Newport, May, 1683, to May, 1685.
Henry Bull, of Newport, May, 1685, to May, 1686.
[2]Walter Clarke, of Newport, May, 1686, to June 29, 1686.
Henry Bull, of Newport, Feb. 27, to May 7, 1690.
John Easton, of Newport, May, 1690, to May, 1695.
[1]Caleb Carr, of Newport, May, 1695, to Dec. 17, 1695.
Walter Clarke, of Newport, Jan., 1696, to March, 1698.
[1]Samuel Cranston, of Newport, March, 1698, to April 26, 1727.
Joseph Jencks, of Providence, May, 1727, to May, 1732.
[1]William Wanton, of Newport, May, 1732, to Dec., 1733.
John Wanton, of Newport, May, 1734, to July 5, 1740.

[1] Died in office.
[2] The charter was suspended, by Sir Edmund Andros, till 1689.

Richard Ward, of Newport, July 15, 1740, to May, 1743.
William Greene, of Warwick, May, 1743, to May, 1745.
Gideon Wanton, of Newport, May, 1745, to May, 1746.
William Greene, of Warwick, May, 1746, to May, 1747.
Gideon Wanton, of Newport, May, 1747, to May, 1748.
William Greene, of Warwick, May, 1748, to May, 1755.
Stephen Hopkins, of Providence, May, 1755, to May, 1757.
[1]William Greene, of Warwick, May, 1757, to Feb. 22, 1758.
Stephen Hopkins, of Providence, March 14, 1758, to May, 1762.
Samuel Ward, of Westerly, May, 1762, to May, 1763.
Stephen Hopkins, of Providence, May, 1763, to May, 1765.
Samuel Ward, of Westerly, May, 1765, to May, 1767.
Stephen Hopkins of Providence, May, 1767, to May, 1768.
Josias Lyndon, of Newport, May, 1768, to May, 1769.
Joseph Wanton, of Newport, 1769 to Nov. 7, 1775. Deposed.
Nicholas Cooke, of Providence, Nov., 1775, to May, 1778.
William Greene, of Warwick, May, 1778, to 1786.
John Collins, of Newport, May, 1786, to 1790.
Arthur Fenner, of Providence, May, 1790, to Oct. 15, 1805.[2]
James Fenner, of Providence, May, 1807, to 1811.
William Jones, of Providence, May, 1811, to 1817.
[3]Nehemiah R. Knight, of Providence, May, 1817, to Jan. 9, 1821.
William C. Gibbs, of Newport, May, 1821, to 1824.
James Fenner, of Providence, May, 1824, to 1831.
[4]Lemuel H. Arnold, of Providence, 1831 to 1833.

[1] Died in office.

[2] Paul Mumford, deputy governor, died in office. Henry Smith, first senator, officiated as governor. In 1806, no election of governor; Isaac Wilbour, lieutenant-governor, officiated.

[3] Elected United States senator, Jan. 9, 1821, for unexpired term of James Burrill, Jr., deceased.

[4] In 1832, no election of governor, lieutenant-governor, or senators. Elections were successively ordered for May 16, July 18, Aug. 28, and Nov. 21, 1832, resulting without choice. At the January session, 1833, the officers who had not been reëlected in 1832 were continued in office until the next session.

John Brown Francis, of Warwick, 1833 to 1838.
[1]William Sprague, of Warwick, 1838 to 1839.
Samuel Ward King, of Johnston, 1840 to 1843.

UNDER THE CONSTITUTION OF 1842.

James Fenner, of Providence, 1843 to 1845.
Charles Jackson, of Providence, 1845 to 1846.
Byron Diman, of Bristol, 1846 to 1847.
Elisha Harris, of Coventry, 1847 to 1849.
Henry B. Anthony, of Providence, 1849 to 1851.
[2]Phillip Allen, of Providence, 1851 to 1853.
Francis M. Dimond, of Bristol, July 20, 1853, to 1854.
William Warner Hoppin, of Providence, 1854 to 1857.
Elisha Dyer, of Providence, 1857 to 1859.
Thomas G. Turner, of Warren, 1859 to 1860.
Wm. Sprague, of Providence, 1860, to March 3, 1863. Resigned.
[3]William C. Cozzens, of Newport, March 3, 1863, to May, 1863.
James Y. Smith, of Providence, 1863 to 1866.
Ambrose E. Burnside, of Providence, 1866 to 1869.
Seth Padelford, of Providence, 1869 to 1873.
Henry Howard, of Coventry, 1873 to 1875.
Henry Lippitt, of Providence, 1875 to 1877.
Charles C. Van Zandt, of Newport, 1877 to 1880.
Alfred H. Littlefield, of Lincoln, 1880 to 1883.
Augustus O. Bourn, of Bristol, 1883 to 1885.
George Peabody Wetmore, of Newport, 1885 to 1887.

[1] In 1839, no election of governor, or lieutenant-governor; Samuel Ward King was first senator and acting-governor.

[2] Resigned July 20, 1853, having been elected United States senator, May 4, 1853. Francis M. Dimond, lieutenant-governor, officiated.

[3] Governor Sprague resigned March 3, 1863, to accept the office of United States senator; and Lieutenant-Governor Arnold having been previously elected to the senate of the United States to fill the vacancy caused by the resignation of James F. Simmons, Mr. Cozzens became governor by virtue of his office as president of the state senate.

John W. Davis, of Pawtucket, 1887 to 1888.
Royal C. Taft, of Providence, 1888 to 1889.
Herbert W. Ladd, of Providence, 1889 to 1890.
John W. Davis, of Pawtucket, 1890 to 1891.
Herbert W. Ladd, of Providence, 1891 to 1892.
D. Russell Brown, of Providence, 1892 to 1895.
Charles Warren Lippitt, of Providence, 1895 to 1897.
Elisha Dyer, of Providence, 1897 to 1900.
William Gregory, of North Kingstown, 1900 to Dec. 16, 1901.
Charles Dean Kimball, of Providence, Dec. 16, 1901 to 1903.
Lucius F. C. Garvin, of Cumberland, 1903 to 1905.
George H. Utter, of Westerly, 1905 to —.

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